S/INF/54

RESOLUTIONS AND DECISIONS OF THE SECURITY COUNCIL
1998

SECURITY COUNCIL
OFFICIAL RECORDS: FIFTY-THIRD YEAR

UNITED NATIONS

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New York, 2000

NOTE

The volume *Resolutions and Decisions of the Security Council* is published on a yearly basis. The present volume contains the resolutions adopted and the decisions taken by the Council on substantive questions during 1998, as well as decisions on some of the more important procedural matters. The resolutions and decisions are set out in parts I and II, under general headings indicating the questions under consideration. In each part, the questions are arranged according to the date on which they were first taken up by the Council in the year under review, and under each question the resolutions and decisions appear in chronological order.

The resolutions are numbered in the order of their adoption. Each resolution is followed by the result of the vote. Decisions are usually taken without a vote, but in cases where a vote has been recorded, it is given immediately after the decisions.

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ISSN 0257-1455

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MEMBERSHIP OF THE SECURITY COUNCIL IN 1998

In 1998, the membership of the Security Council was as follows:

Bahrain
Brazil
China
Costa Rica
France
Gabon
Gambia
Japan
Kenya
Portugal
Russian Federation
Slovenia
Sweden
United Kingdom of Great Britain and Northern Ireland
United States of America

RESOLUTIONS ADOPTED AND DECISIONS TAKEN BY THE SECURITY COUNCIL IN 1998

Part I. Questions considered by the Security Council under its responsibility for the maintenance of international peace and security

ITEMS RELATING TO THE SITUATION IN THE FORMER YUGOSLAVIA

The situation in Croatia

[*Resolutions or decisions on this question were also adopted by the Security Council in 1993, 1995, 1996 and 1997*.]

Decision

At its 3847th meeting, on 13 January 1998, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

> "The situation in Croatia
>
> "Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/1997/1019)".[1]

Resolution 1147 (1998) of 13 January 1998

The Security Council,

Recalling its earlier relevant resolutions, in particular resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995, 1025 (1995) of 30 November 1995, 1038 (1996) of 15 January 1996, 1066 (1996) of 15 July 1996, 1093 (1997) of 14 January 1997 and 1119 (1997) of 14 July 1997,

Having considered the report of the Secretary-General of 30 December 1997,[2] and welcoming the positive developments noted therein,

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia,

Noting again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[3] in particular article 3, which reaffirmed their agreement concerning the demilitarization of the Prevlaka peninsula, and emphasizing the contribution that this demilitarization has made to the decrease of tension in the region,

Noting with concern continued long-standing violations of the demilitarization regime in the United Nations designated zones in the region, but welcoming a decrease in the number of violations,

Welcoming the first substantial progress in implementing the practical options proposed by the United Nations military observers in May 1996, as referred to in the report of the Secretary-General of 31 December 1996,[4]

Noting with concern that there has been no progress towards a settlement of the disputed issue of Prevlaka through mutual negotiations,

Recalling the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia, signed in Belgrade on 23 August 1996,[5] committing the parties to settle peacefully the disputed issue of Prevlaka by negotiations in the spirit of the Charter of the United Nations and good neighbourly relations, and stressing the need for the Republic of Croatia and the Federal Republic of Yugoslavia to agree on a settlement which would peacefully resolve their differences,

Noting that the presence of the United Nations military observers continues to be essential to maintain conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995,[6] until 15 July 1998;

2. *Welcomes* steps taken by the parties in adopting the practical options proposed by United Nations military observers to reduce tension and improve safety and security in the area, and calls upon the parties to make further progress in this regard;

3. *Reiterates its call* upon the parties to cease all violations of the demilitarization regime in the United Nations designated zones, to cooperate fully with the United Nations military observers and to ensure their safety and freedom of movement;

4. *Urges* the parties to abide by their mutual commitments and to implement fully the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996;[5]

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[1] See *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*.

[2] Ibid., document S/1997/1019.

[3] Ibid., *Forty-seventh Year, Supplement for October, November and December 1992*, document S/24476, annex.

[4] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1075.

[5] Ibid., *Supplement for July, August and September 1996*, documents S/1996/706 and S/1996/744.

[6] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1028.

5. *Expresses its support* for the commitment by the parties to a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of the agreement mentioned in paragraph 4 above;

6. *Urges* the parties to take concrete steps towards a negotiated resolution of the disputed issue of Prevlaka in good faith and without delay;

7. *Requests* the Secretary-General to submit to the Council by 5 July 1998 a report on the situation in the Prevlaka peninsula and, in particular, on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences;

8. *Requests* the United Nations military observers and the multinational Stabilization Force authorized by the Council in resolution 1088 (1996) of 12 December 1996 to cooperate fully with each other;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3847th meeting.

Decisions

On 13 January 1998, the President of the Security Council addressed the following letter to the Secretary-General:[7]

> "I have the honour to inform you that your letter dated 8 January 1998 concerning the appointment of Mr. Souren Seraydarian, of the Syrian Arab Republic, as the representative of the Secretary-General and head of the support group and the United Nations Liaison Office in Zagreb[8] has been brought to the attention of the members of the Security Council. They agree with the intention that you express therein."

At its 3854th meeting, on 13 February 1998, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Report of the Secretary-General on the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium (S/1998/59)".[1]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[9]

> "The Security Council welcomes the successful completion of the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, as described in the report of the Secretary-General of 22 January 1998.[10] The experience of this multifunctional operation may be useful for similar situations in the future.
>
> "The Council commends the commitment shown by the Government of the Republic of Croatia to the implementation of its comprehensive programme of national reconciliation, and stresses the need for continued progress in this regard. The Council is also encouraged by signs of increasing participation in Croatian political life by the region's ethnic Serb citizens, and underlines the importance of continued efforts by the Government of the Republic of Croatia to ensure full participation by the Serb minority in the political life of the country, including through urgent funding of the Joint Council of Municipalities.
>
> "The Council notes that, despite the positive conclusion of the Transitional Administration and the efforts of the Government of the Republic of Croatia, including its request for the establishment of the civilian police support group, much remains to be done. The Government of the Republic of Croatia remains responsible for the rights and safety of members of all ethnic groups within the Republic of Croatia and bound by its obligations and commitments under the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium[11] and other international agreements. In this regard, the Council calls upon the Government of the Republic of Croatia to intensify its efforts to promote full reintegration of the region, in particular to resolve property issues and other problems which are hindering the return of refugees and displaced persons, to protect human rights, including by taking action against harassment, to address in full uncertainties about the implementation of the Amnesty Law and to take measures to improve public confidence in the Croatian police.
>
> "In this context, the Council emphasizes the key role of the Organization for Security and Cooperation in Europe throughout the Republic of Croatia, including in the Danubian region. The Council strongly supports the closest possible cooperation between the United Nations and the Organization for Security and Cooperation in Europe, in particular between the mission of that organization and the support group and other United Nations offices and agencies in the Republic of Croatia, as envisaged by the Secretary-General, and, to that end, encourages the support group and the mission to keep each other fully informed.
>
> "The Council pays tribute to the dedicated men and women of the Transitional Administration and, in particular, expresses its appreciation to the Transitional Administrators and the Force Commanders for their leadership of the mission of the Transitional Administration."

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[7] S/1998/30.

[8] S/1998/29.

[9] S/PRST/1998/3.

[10] *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/59.

[11] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/951.

At its 3859th meeting, on 6 March 1998, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled "The situation in Croatia".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[12]

> "The Security Council expresses its concern at the Croatian Government's lack of compliance with obligations assumed under the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium,[11] the letter from the Croatian Government dated 13 January 1997[13] and the agreement of 23 April 1997 between the United Nations Transitional Administration for Eastern Slavonia, Baranja and Western Sirmium, the Office of the United Nations High Commissioner for Refugees and the Croatian Government concerning the return of refugees and displaced persons. The Council notes that the overall security situation in the Danube region remains relatively stable, but is particularly concerned about the increasing incidence of harassment and intimidation of the local Serb community in the region and the failure of the Croatian Government to apply the process of national reconciliation in an effective way at the local level. This worrying situation, together with recent statements by the Croatian authorities, cast doubt upon the commitment of the Republic of Croatia to include ethnic Serbs and persons from other minorities as full and equal members of Croatian society.
>
> "The Council, recalling the statement by its President of 13 February 1998[9] and having taken note of the letter dated 5 March 1998 from the Permanent Representative of the Republic of Croatia to the United Nations,[14] calls upon the Croatian Government publicly to reaffirm and by its actions to demonstrate its commitment to fulfilling its obligations under the Basic Agreement and other agreements in full, including through progress on national reconciliation at every level. In particular, the Council calls upon the Croatian Government to take prompt and unequivocal steps to ensure the safety, security and rights of all Croatian citizens and to build confidence among the Serb community throughout Croatia, including by providing promised funding for the Joint Council of Municipalities. These steps should include measures to create the conditions to allow local Serbs to remain in the region, to facilitate the return of refugees and displaced persons and to address underlying practical and economic issues which inhibit returns. The Council calls upon the Croatian Government to establish clear procedures for the documentation of refugees from Croatia; to issue an equitable plan for nationwide two-way returns; to implement fully and fairly its legislation on amnesty; to act promptly to pass equitable property and tenancy rights legislation which would encourage returns and stimulate additional international reconstruction assistance; to ensure fair employment benefit practices and equal economic opportunity; and to ensure the non-discriminatory application of the rule of law.
>
> "The Council recognizes that, since the end of the mandate of the Transitional Administration, the performance of the Croatian police has been generally satisfactory, and in this context it expresses its appreciation and support for the work of the United Nations civilian police support group. The Council notes, however, that public confidence in the police is low. The Council calls upon the Croatian Government to take measures, including through public information and police preventive action, to improve public confidence in the police as part of a wider programme of measures to prevent ethnically motivated crime and ensure the protection and equal treatment of all Croatian citizens, regardless of ethnicity.
>
> "The Council stresses that, following the termination of the Transitional Administration, responsibility for the full reintegration of the Danube region lies clearly with the Croatian Government. The United Nations will continue to work closely with the Organization for Security and Cooperation in Europe in monitoring the situation and reminding the Croatian Government of its obligations."

On 24 June 1998, the President of the Security Council addressed the following letter to the Secretary-General:[15]

> "I have the honour to inform you that your letter dated 22 June 1998 concerning your intention to appoint Lieutenant Colonel Graeme Roger Williams, of New Zealand, as the next Chief Military Observer of the United Nations Mission of Observers in Prevlaka[16] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 3901st meeting, on 2 July 1998, the Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

> "The situation in Croatia
>
> > "Report of the Secretary-General on the United Nations Police Support Group (S/1998/500)".[17]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[18]

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[12] S/PRST/1998/6.

[13] *Official Records of the Security Council, Fifty-second Year, Supplement for January, February and March 1997*, document S/1997/27, annex.

[14] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/197.

[15] S/1998/564.

[16] S/1998/563.

[17] See *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*.

[18] S/PRST/1998/19.

"The Security Council has considered the report of the Secretary-General of 11 June 1998 pursuant to its resolution 1145 (1997) of 19 December 1997.[19]

"The Council notes that the overall security situation in the Danube region is relatively stable. It also notes that the generally satisfactory performance of the Croatian police in the region is largely due to comprehensive monitoring by the United Nations Police Support Group and the special attention paid to the situation by the Ministry of the Interior of the Republic of Croatia. However, the Council is concerned that, despite the large presence of the Croatian police, ethnically related incidents, evictions and housing intimidation cases have not been stopped, and that such incidents have increased in the recent period.

"The Council expresses its grave concern that a large number of Serb residents and displaced persons have emigrated from the Republic of Croatia since late 1996, mainly because of continued security incidents, ethnically related intimidation, a dire economic situation, bureaucratic hurdles, discriminatory legislation and a stalled return programme. A continuation of this trend could have a seriously negative effect on the restoration of a multi-ethnic society in the Republic of Croatia. The Council, therefore, welcomes the adoption by the Government of Croatia, on 26 June 1998, of a nationwide programme for the return and accommodation of displaced persons, refugees and exiled persons[20] and calls for its prompt and full implementation at all levels, including the abolition of discriminatory property laws and the establishment of effective mechanisms allowing owners to recover their property. It stresses the importance of the prompt and full implementation of the programme on reconciliation at all levels throughout Croatia and of preventing and responding to incidents of harassment and unlawful evictions.

"The Council reiterates the continuing obligations of the Government of Croatia under the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium[17] as well as under international conventions and other agreements. It notes with satisfaction that the Government of Croatia has met the majority of its obligations concerning the provision of public services and employment within the public sector, set out in the Basic Agreement. The Council, however, reiterates that a number of obligations have yet to be fulfilled in such areas as the implementation of the Convalidation Law and the Amnesty Law, the functioning of local municipalities and the permanent funding of the Joint Council of Municipalities. In this regard, the Council stresses the significance of the Article 11 Commission, formed under the provisions of article 11 of the Basic Agreement, as a key instrument in encouraging the Government of Croatia to meet its obligations fully and in underscoring continued international commitment to the successful completion of peaceful reintegration.

"The Council calls upon the Government of Croatia to improve police response to ethnically related incidents, evictions and housing intimidation cases and to take other measures to strengthen public confidence in the police, including through public information and police preventive action. In this context, the Council stresses the importance of the implementation of the guidelines issued by the Ministry of the Interior on 9 January 1998 and the institution of a community policing programme by the Ministry.

"The Council fully supports the activities of the United Nations Police Support Group and the United Nations Liaison Office in Zagreb. It welcomes the decision of 25 June 1998 of the Permanent Council of the Organization for Security and Cooperation in Europe to deploy civilian police monitors to assume, from 15 October 1998, the responsibilities of the Support Group. It also welcomes the invitation by the representative of the Secretary-General to the head of the mission of the Organization for Security and Cooperation in Europe in Croatia to begin planning for the intended transfer of the police monitoring function in the region to that organization. It supports the establishment of a timetable for the handover of the functions of the Support Group to the organization and agrees with the intention of the Secretary-General to reduce gradually the number of civilian police monitors, under the conditions specified in his report. The Council looks forward to a report by the Secretary-General by mid-September detailing the arrangements for the termination of the mandate of the Support Group by 15 October 1998."

At its 3907th meeting, on 15 July 1998, the Council decided to invite the representatives of Croatia, Germany and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Report of the Secretary-General on the United Nations Mission of Observers in Prevlaka (S/1998/578)".[17]

Resolution 1183 (1998) of 15 July 1998

The Security Council,

Recalling all its earlier relevant resolutions, in particular resolutions 779 (1992) of 6 October 1992, 981 (1995) of 31 March 1995 and 1147 (1998) of 13 January 1998,

Having considered the report of the Secretary-General of 26 June 1998,[21] and noting the positive assessment in the report of the Secretary-General of recent developments, including the initiative by the Republic of Croatia for a final resolution of the disputed issue of Prevlaka,[22]

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[19] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/500.

[20] Ibid., document S/1998/589, annex.

[21] Ibid., document S/1998/578.

[22] Ibid., document S/1998/533, annex.

Noting the proposal by the Federal Republic of Yugoslavia on the permanent settlement of the disputed issue of Prevlaka,[23]

Reaffirming once again its commitment to the independence, sovereignty and territorial integrity of the Republic of Croatia within its internationally recognized borders,

Noting again the Joint Declaration signed at Geneva on 30 September 1992 by the Presidents of the Republic of Croatia and the Federal Republic of Yugoslavia,[3] in particular article 3, which reaffirmed their agreement concerning the demilitarization of the Prevlaka peninsula, and emphasizing the contribution that this demilitarization has made to the decrease of tension in the region,

Concerned, however, at the continued long-standing violations of the demilitarization regime in the United Nations designated zones in the region and the failure of the parties to improve their compliance with the demilitarization regime as recommended by the United Nations Mission of Observers in Prevlaka, including important demining activities within the demilitarized area, and by continued restrictions on the freedom of movement of its personnel within their area of responsibility,

Recalling the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia, signed in Belgrade on 23 August 1996,[5] committing the parties to settle peacefully the disputed issue of Prevlaka by negotiations in the spirit of the Charter of the United Nations and good-neighbourly relations, and deeply concerned at the lack of significant progress towards such a settlement,

Noting that the presence of the United Nations military observers continues to be essential to maintain conditions that are conducive to a negotiated settlement of the disputed issue of Prevlaka,

1. *Authorizes* the United Nations military observers to continue monitoring the demilitarization of the Prevlaka peninsula, in accordance with resolutions 779 (1992) and 981 (1995) and paragraphs 19 and 20 of the report of the Secretary-General of 13 December 1995,[6] until 15 January 1999;

2. *Calls upon* the parties to take further steps to reduce tension and improve safety and security in the area;

3. *Reiterates its call* upon the parties to cease all violations of the demilitarization regime in the United Nations designated zones, to cooperate fully with the United Nations military observers and to ensure their safety and full and unrestricted freedom of movement, and calls upon them to complete promptly the demining of the area;

4. *Urges* the parties to abide by their mutual commitments and to implement fully the Agreement on Normalization of Relations between the Republic of Croatia and the Federal Republic of Yugoslavia of 23 August 1996,[5] in particular their commitment to reach a negotiated resolution of the disputed issue of Prevlaka in accordance with article 4 of the Agreement, and calls upon them to engage promptly and constructively in negotiations;

5. *Requests* the Secretary-General to submit to the Council by 15 October 1998 a report on the situation in the Prevlaka peninsula and in particular on progress made by the Republic of Croatia and the Federal Republic of Yugoslavia towards a settlement which would peacefully resolve their differences, and, in this context, on the possible adaptation of the United Nations Mission of Observers in Prevlaka;

6. *Requests* the United Nations military observers and the multinational Stabilization Force authorized by the Council in resolution 1088 (1996) of 12 December 1996 and extended by resolution 1174 (1998) of 15 June 1998 to cooperate fully with each other;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 3907th meeting.

Decisions

At its 3941st meeting, on 6 November 1998, the Security Council decided to invite the representative of Croatia to participate, without vote, in the discussion of the item entitled:

"The situation in Croatia

> "Final report of the Secretary-General on the United Nations Police Support Group (S/1998/1004)".[24]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[25]

> "The Security Council welcomes the final report of the Secretary-General on the United Nations Police Support Group[26] and, in particular, his description of the successful conclusion of the mandate of the Support Group and the smooth transition of responsibilities to the police monitoring programme of the Organization for Security and Cooperation in Europe. The Council recalls the commitment of the Government of Croatia to ensure that police monitors of the Organization for Security and Cooperation in Europe will have the same access to police stations, documents and police operations, including investigations and checkpoints, as that accorded to the Support Group.
>
> "While the overall security situation in the Danube region remains satisfactory and police performance has improved notably and the Government of Croatia has taken steps to ensure that this continues, a worrying trend of ethnically motivated incidents persists in the region. The Council remains deeply concerned at the continuing

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[23] Ibid., *Supplement for July, August and September 1998*, document S/1998/632, annex.

[24] Ibid., *Supplement for October, November and December 1998*.

[25] S/PRST/1998/32.

[26] *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/1004.

departures of Serb residents, resulting to a considerable extent from these incidents. In this context, the Council is mindful of the importance of economic revitalization and reconstruction in creating an environment for sustained returns. The Council calls upon the Government of Croatia to make every effort to enhance public confidence in the police force and to recommit itself fully to the process of reconciliation between ethnic groups.

"The Council also calls upon the Government of Croatia to address the perceived lack of security, which is contributing to continuing departures of Serbs from the region, and to remedy a number of problems that are preventing the full implementation of the 'Programme for the Return and Accommodation of Displaced Persons, Refugees and Exiled Persons'.[20] While noting that in his previous report[27] the Secretary-General recognized progress in the implementation of the Programme, the Council calls upon the Government of Croatia promptly and fully to address all unresolved issues, which include restitution of property to Croatian citizens of Serb ethnicity, harmonization of legislation with the provisions of the return programme to enable non-discriminatory implementation, effective functioning of all housing commissions, equal access to reconstruction funding, restoration of rights to socially owned apartments, access to information, removal of impediments to the acquisition of documents needed for returnee status and benefits, and implementation of the Convalidation Law.

"The Council expresses particular concern about the Joint Council of Municipalities, which represents all Serb ethnic communities in the region and which is described by the Secretary-General as being on the brink of collapse. The Council reiterates the continuing obligations of the Government of Croatia under the Basic Agreement on the Region of Eastern Slavonia, Baranja and Western Sirmium,[11] as well as under international conventions and other agreements, and, in this context, stresses the importance of full implementation of the 'Programme for the Establishment of Trust, Accelerated Return and Normalization of Living Conditions in the War-Affected Regions of the Republic of Croatia'.[28]

"The Council expresses its full support for the Organization for Security and Cooperation in Europe, which has now assumed the role of the Support Group, and looks forward to being kept informed, whenever necessary, of relevant developments in the Danube region of Croatia.

"The Council expresses its deep appreciation to all the men and women who participated in the United Nations peacekeeping operations in the Danube region of Croatia. Their dedication and perseverance made a significant contribution to regional peace."

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[27] Ibid., *Supplement for July, August and September 1998*, document S/1998/887.

[28] Ibid., *Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/772, annex.

The situation in Bosnia and Herzegovina

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decisions

At its 3862nd meeting, on 19 March 1998, the Security Council decided to invite the representative of Bosnia and Herzegovina to participate, without vote, in the discussion of the item entitled "The situation in Bosnia and Herzegovina".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[29]

> "The Security Council welcomes the announcement of the decision on 15 March 1998 relating to Brcko by the arbitral tribunal pursuant to article V of annex 2 to the General Framework Agreement for Peace in Bosnia and Herzegovina[30] and to the award of 14 February 1997.[31]
>
> "The Council, recalling that the 1997 award helped to promote the start of a peaceful, orderly and phased return process in Brcko and the beginnings of the establishment of a multi-ethnic administration, considers that the decision of 15 March 1998 represents the best interests of the peace process. The Council commends the efforts of the Presiding Arbitrator and of the International Supervisor for Brcko.
>
> "The Council calls upon the parties to annex 2 to the General Framework Agreement to implement the decision without delay, as they are obliged to do. The Council underscores the importance of prompt and full cooperation by the parties to the Agreement in carrying out their commitments to implement the Agreement in its entirety, including cooperation with the International Supervisor for Brcko and the Office of the High Representative."

At its 3883rd meeting, on 21 May 1998, the Council decided to invite the representatives of Bosnia and Herzegovina, Germany and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

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[29] S/PRST/1998/7.

[30] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/999.

[31] Ibid., *Fifty-second Year, Supplement for January, February and March 1997*, document S/1997/126, annex.

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (S/1998/227 and Corr.1 and Add.1)".[32]

Resolution 1168 (1998)
of 21 May 1998

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1103 (1997) of 31 March 1997, 1107 (1997) of 16 May 1997 and 1144 (1997) of 19 December 1997,

Expressing its continued commitment to the political settlement of conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Recalling the conclusions of the Ministerial Meeting of the Steering Board of the Peace Implementation Council held in Sintra, Portugal, on 30 May 1997[33] and the Peace Implementation Conference held in Bonn on 9 and 10 December 1997,[34]

Having considered the report of the Secretary-General of 12 March 1998,[35] and taking note of his observations and the planning outlined in paragraphs 37 to 46 of that report,

Reaffirming its full support for the High Representative and his staff and his responsibility in implementing the civilian aspects of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[30]

Commending the United Nations Mission in Bosnia and Herzegovina, including the International Police Task Force, and recalling the recommendations of the Bonn Peace Implementation Conference relating to the Mission, including the Task Force,

Expressing its appreciation to the personnel of the Mission, including the International Police Task Force, and to the Special Representative of the Secretary-General and the Task Force Commissioner,

Emphasizing the increasing importance of specialized training for local police in Bosnia and Herzegovina, especially in the areas of critical incident management, corruption, organized crime and drug control, as outlined in the report of the Secretary-General,

Acknowledging that success in the area of police reform in Bosnia and Herzegovina is closely linked to complementary judicial reform, and taking note of the report of the High Representative of 9 April 1998,[36] which emphasizes that judicial reform is a priority for further progress,

1. *Decides* to authorize an increase in the strength of the International Police Task Force by 30 posts, to a total authorized strength of 2,057;

2. *Supports* the improvements in the overall management of the International Police Task Force undertaken by the Secretary-General, his Special Representatives, and the Task Force Commissioners and personnel in Bosnia and Herzegovina, stresses the importance of continued reforms in this area, and in this regard strongly encourages the Secretary-General to make further improvements to the Task Force, in particular with regard to personnel management issues;

3. *Encourages* Member States to intensify their efforts to provide, on a voluntary funded basis and in coordination with the International Police Task Force, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

4. *Recognizes* that establishing an indigenous public security capability is essential to strengthening the rule of law in Bosnia and Herzegovina, agrees to consider expeditiously a court monitoring programme led by the United Nations Mission in Bosnia and Herzegovina as part of an overall programme of legal reform as outlined by the Office of the High Representative, and requests the Secretary-General to submit recommendations on the possibility of utilizing locally hired personnel as far as is practical and of voluntary funding;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the
3883rd meeting.

Decision

At its 3892nd meeting, on 15 June 1998, the Security Council decided to invite the representatives of Albania, Bosnia and Herzegovina, Croatia, Germany, Italy, Malaysia and Turkey to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (UNMIBH) (S/1998/491)".[17]

Resolution 1174 (1998)
of 15 June 1998

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, including resolutions 1031 (1995) of 15 December 1995, 1035 (1995) of 21 December 1995, 1088 (1996) of 12 December 1996, 1144 (1997) of 19 December 1997 and 1168 (1998) of 21 May 1998,

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[32] Ibid., *Fifty-third Year, Supplement for January, February and March 1998.*

[33] Ibid., *Fifty-second Year, Supplement for April, May and June 1997,* document S/1997/434, annex.

[34] Ibid., *Supplement for October, November and December 1997,* document S/1997/979, annex.

[35] Ibid., *Fifty-third Year, Supplement for January, February and March 1998,* documents S/1998/227 and Add.1.

[36] Ibid., *Supplement for April, May and June 1998,* document S/1998/314, annex.

Reaffirming its commitment to the political settlement of the conflicts in the former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to supporting implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[30]

Emphasizing its appreciation to the High Representative, the Commander and personnel of the multinational Stabilization Force, the Special Representative of the Secretary-General and the personnel of the United Nations Mission in Bosnia and Herzegovina, including the Commissioner and personnel of the International Police Task Force, and the personnel of other international organizations and agencies in Bosnia and Herzegovina for their contributions to the implementation of the Peace Agreement,

Underlining once again the important role for the Republic of Croatia and the Federal Republic of Yugoslavia in the successful development of the peace process in Bosnia and Herzegovina,

Stressing that a comprehensive and coordinated return of refugees and displaced persons throughout the region is crucial to lasting peace,

Taking note of the declaration of the Steering Board of the Peace Implementation Council in Luxembourg on 9 June 1998[37] and the conclusions of its previous meetings,

Having considered the report of the Secretary-General of 10 June 1998,[38]

Noting the report of the High Representative of 9 April 1998,[36]

Determining that the situation in the region continues to constitute a threat to international peace and security,

Determined to promote the peaceful resolution of the conflicts in accordance with the purposes and principles of the Charter of the United Nations,

Acting under Chapter VII of the Charter,

I

1. *Reaffirms once again its support* for the Peace Agreement,[30] as well as for the Dayton Agreement on Implementing the Federation of Bosnia and Herzegovina of 10 November 1995,[39] calls upon the parties to comply strictly with their obligations under those agreements, and expresses its intention to keep the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina under review;

2. *Reiterates* that the primary responsibility for the further successful implementation of the peace process lies with the authorities in Bosnia and Herzegovina themselves and that the continued willingness of the international community and major donors to assume the political, military and economic burden of implementation and reconstruction efforts will be determined by the compliance and active participation by all the authorities in Bosnia and Herzegovina in implementing the Peace Agreement and rebuilding a civil society, in particular in full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, in strengthening joint institutions and in facilitating returns of refugees and displaced persons;

3. *Once again reminds* the parties that, in accordance with the Peace Agreement, they have committed themselves to cooperate fully with all entities involved in the implementation of this peace settlement, as described in the Peace Agreement, or which are otherwise authorized by the Security Council, including the International Tribunal for the Former Yugoslavia, as it carries out its responsibilities for dispensing justice impartially, and underlines that full cooperation by States and entities with the International Tribunal includes the surrender for trial of all persons indicted by the Tribunal and provision of information to assist in Tribunal investigations;

4. *Emphasizes its full support* for the continued role of the High Representative in monitoring the implementation of the Peace Agreement and giving guidance to and coordinating the activities of the civilian organizations and agencies involved in assisting the parties to implement the Peace Agreement, and reaffirms that the High Representative is the final authority in theatre regarding the interpretation of annex 10 on civilian implementation of the Peace Agreement and that in case of dispute, he may give his interpretation and make recommendations, and make binding decisions as he judges necessary on issues as elaborated by the Peace Implementation Council in Bonn on 9 and 10 December 1997;[34]

5. *Expresses its support* for the declaration of the Steering Board of the Peace Implementation Council in Luxembourg;[37]

6. *Recognizes* that the parties have authorized the multinational force referred to in paragraph 10 below to take such actions as required, including the use of necessary force, to ensure compliance with annex 1-A of the Peace Agreement;

7. *Reaffirms its intention* to keep the situation in Bosnia and Herzegovina under close review, taking into account the reports submitted pursuant to paragraphs 18 and 25 below, and any recommendations those reports might include, and its readiness to consider the imposition of measures if any party fails significantly to meet its obligations under the Peace Agreement;

II

8. *Pays tribute* to those Member States which participated in the multinational Stabilization Force established in accordance with its resolution 1088 (1996), and welcomes their willingness to assist the parties to the Peace Agreement by continuing to deploy a multinational Stabilization Force;

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[37] Ibid., document S/1998/498, annex.

[38] Ibid., document S/1998/491.

[39] Ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1021, annex.

9. *Notes* the support of the parties to the Peace Agreement for the continuation of the Stabilization Force set out in the declaration of the Steering Board of the Peace Implementation Council at Luxembourg;

10. *Authorizes* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue for a further planned period of twelve months the Stabilization Force as established in accordance with its resolution 1088 (1996), under unified command and control, in order to fulfil the role specified in annex 1-A and annex 2 of the Peace Agreement, and expresses its intention to review the situation with a view to extending this authorization further as necessary in the light of developments in the implementation of the Peace Agreement and the situation in Bosnia and Herzegovina;

11. *Authorizes* the Member States acting under paragraph 10 above to take all necessary measures to effect the implementation of, and to ensure compliance with, annex 1-A of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for compliance with that annex and shall be equally subject to such enforcement action by the Stabilization Force as may be necessary to ensure implementation of that annex and the protection of the Force, and notes that the parties have consented to the Force taking such measures;

12. *Authorizes* Member States to take all necessary measures, at the request of the Stabilization Force, either in defence of the Force or to assist the Force in carrying out its mission, and recognizes the right of the Force to take all necessary measures to defend itself from attack or threat of attack;

13. *Authorizes* the Member States acting under paragraph 10 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures, established by the Commander of the Stabilization Force, governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

14. *Requests* the authorities in Bosnia and Herzegovina to cooperate with the Commander of the Stabilization Force to ensure the effective management of the airports of Bosnia and Herzegovina, in the light of the responsibilities conferred on the Force by annex 1-A of the Peace Agreement with regard to the airspace of Bosnia and Herzegovina;

15. *Demands* that the parties respect the security and freedom of movement of the Stabilization Force and other international personnel;

16. *Invites* all States, in particular those in the region, to continue to provide appropriate support and facilities, including transit facilities, for the Member States acting under paragraph 10 above;

17. *Recalls* all the agreements concerning the status of forces as referred to in appendix B to annex 1-A of the Peace Agreement, and reminds the parties of their obligation to continue to comply therewith;

18. *Requests* the Member States acting through or in cooperation with the organization referred to in annex 1-A of the Peace Agreement to continue to report to the Council, through the appropriate channels and at least at monthly intervals;

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* *

Reaffirming the legal basis in the Charter of the United Nations on which the International Police Task Force was given its mandate in resolution 1035 (1995),

III

19. *Decides* to extend the mandate of the United Nations Mission in Bosnia and Herzegovina, which includes the International Police Task Force, for an additional period terminating on 21 June 1999, and also decides that the Task Force shall continue to be entrusted with the tasks set out in annex 11 of the Peace Agreement, including the tasks referred to in the conclusions of the peace implementation conferences in London on 4 and 5 December 1996,[40] Bonn on 9 and 10 December 1997[34] and Luxembourg on 9 June 1998[37] and agreed upon by the authorities in Bosnia and Herzegovina;

20. *Requests* the Secretary-General to keep the Council regularly informed on the work of the International Police Task Force and its progress in assisting the restructuring of law enforcement agencies, and to report every three months on the implementation of the mandate of the Mission as a whole;

21. *Reiterates* that the successful implementation of the tasks of the International Police Task Force rests on the quality, experience and professional skills of its personnel, and once again urges Member States, with the support of the Secretary-General, to ensure the provision of such qualified personnel;

22. *Reaffirms* the responsibility of the parties to cooperate fully with, and instruct their respective responsible officials and authorities to provide their full support to the International Police Task Force on all relevant matters;

23. *Reiterates its call* upon all concerned to ensure the closest possible coordination between the High Representative, the Stabilization Force, the Mission and the relevant civilian organizations and agencies so as to ensure the successful implementation of the Peace Agreement and of the priority objectives of the civilian consolidation plan, as well as the security of International Police Task Force personnel;

24. *Urges* Member States, in response to demonstrable progress by the parties in restructuring their law enforcement institutions, to intensify their efforts to provide, on a voluntary-funded basis and in coordination with the International Police Task Force, training, equipment and related assistance for local police forces in Bosnia and Herzegovina;

25. *Requests* the Secretary-General to continue to submit to the Council reports from the High Representative, in accordance with annex 10 of the Peace Agreement and the conclusions of the Peace Implementation Conference held in

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[40] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1012, annex.

London, on the implementation of the Peace Agreement and, in particular, on compliance by the parties with their commitments under the Agreement;

26. *Decides* to remain seized of the matter.

Adopted unanimously at the 3892nd meeting.

Decision

At its 3909th meeting, on 16 July 1998, the Security Council decided to invite the representatives of Bosnia and Herzegovina, Germany and Italy to participate, without vote, in the discussion of the item entitled:

"The situation in Bosnia and Herzegovina

> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (UNMIBH) (S/1998/227 and Corr.1 and Add.1)[32]
>
> "Report of the Secretary-General on the United Nations Mission in Bosnia and Herzegovina (UNMIBH) (S/1998/491)".[17]

Resolution 1184 (1998) of 16 July 1998

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, in particular resolutions 1168 (1998) of 21 May 1998 and 1174 (1998) of 15 June 1998,

Recalling also the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the "Peace Agreement"),[30]

Taking note of the conclusions of the Peace Implementation Conference in Bonn on 9 and 10 December 1997[34] and of the declaration of the Steering Board of the Peace Implementation Council in Luxembourg on 9 June 1998,[37]

Taking note also of the recommendations of the High Representative of 9 April 1998,[36]

Having considered the reports of the Secretary-General of 12 March[35] and 10 June 1998,[38] in particular his observations and planning regarding the issue of legal reform,

1. *Approves* the establishment by the United Nations Mission in Bosnia and Herzegovina of a programme to monitor and assess the court system in Bosnia and Herzegovina, as part of an overall programme of legal reform as outlined by the Office of the High Representative, in the light of the Peace Agreement,[30] the recommendations of the Peace Implementation Conference in Bonn[34] and the Steering Board of the Peace Implementation Council in Luxembourg,[37] and the recommendations of the High Representative;[36]

2. *Requests* the authorities in Bosnia and Herzegovina to cooperate fully with, and instruct their respective responsible officials to provide their full support to the court monitoring programme;

3. *Requests* the Secretary-General to keep the Council regularly informed on the implementation of the programme to monitor and assess the court system in Bosnia and Herzegovina through his reports on the implementation of the mandate of the Mission as a whole;

4. *Decides* to remain seized of the matter.

Adopted unanimously at the 3909th meeting.

Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council

Decisions

At its 3868th meeting, on 31 March 1998, the Security Council decided to invite the representatives of Albania, Bosnia and Herzegovina, Canada, Croatia, Egypt, Germany, Greece, Hungary, the Islamic Republic of Iran, Italy, Pakistan, Poland, Turkey and Ukraine to participate, without vote, in the discussion of the item entitled:

> "Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)[32]
>
> "Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)".[32]

At the same meeting, the Council decided to extend an invitation to Mr. Vladislav Jovanovic, at his request, to address the Council in the course of the discussion of the item.

Resolution 1160 (1998) of 31 March 1998

The Security Council,

Noting with appreciation the statements by the Ministers for Foreign Affairs of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 9 and 25 March 1998,[41] including the proposal on a comprehensive arms embargo on the Federal Republic of Yugoslavia, including Kosovo,

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[41] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/223, annex, and document S/1998/272, annex.

Welcoming the decision adopted at the special session of the Permanent Council of the Organization for Security and Cooperation in Europe on 11 March 1998,[42]

Condemning the use of excessive force by Serbian police forces against civilians and peaceful demonstrators in Kosovo, as well as all acts of terrorism by the Kosovo Liberation Army or any other group or individual and all external support for terrorist activity in Kosovo, including finance, arms and training,

Taking note of the declaration of 18 March 1998 by the President of the Republic of Serbia on the political process in Kosovo and Metohija,[43]

Noting the clear commitment of senior representatives of the Kosovo Albanian community to non-violence,

Noting that there has been some progress in implementing the actions indicated in the Contact Group statement of 9 March 1998,[44] but stressing that further progress is required,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Acting under Chapter VII of the Charter of the United Nations,

1. *Calls upon* the Federal Republic of Yugoslavia immediately to take the further necessary steps to achieve a political solution to the issue of Kosovo through dialogue and to implement the actions indicated in the Contact Group statements of 9 and 25 March 1998;[45]

2. *Also calls upon* the Kosovo Albanian leadership to condemn all terrorist action, and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;

3. *Underlines* the fact that the way to defeat violence and terrorism in Kosovo is for the authorities in Belgrade to offer the Kosovo Albanian community a genuine political process;

4. *Calls upon* the authorities in Belgrade and the leadership of the Kosovo Albanian community urgently to enter without preconditions into a meaningful dialogue on political status issues, and notes the readiness of the Contact Group to facilitate such a dialogue;

5. *Agrees*, without prejudging the outcome of that dialogue, with the proposal in the Contact Group statements of 9 and 25 March 1998 that the principles for a solution of the Kosovo problem should be based on the territorial integrity of the Federal Republic of Yugoslavia and should be in accordance with standards of the Organization for Security and Cooperation in Europe, including those set out in the Final Act of the Conference on Security and Cooperation in Europe, signed at Helsinki on 1 August 1975, and the Charter of the United Nations, and that such a solution must also take into account the rights of the Kosovo Albanians and all who live in Kosovo, and expresses its support for an enhanced status for Kosovo, which would include a substantially greater degree of autonomy and meaningful self-administration;

6. *Welcomes* the signature on 23 March 1998 of an agreement on measures to implement the 1996 Education Agreement, calls upon all parties to ensure that its implementation proceeds smoothly and without delay according to the agreed timetable, and expresses its readiness to consider measures if either party blocks implementation;

7. *Expresses its support* for the efforts of the Organization for Security and Cooperation in Europe for a peaceful resolution of the crisis in Kosovo, including through the Personal Representative of the Chairman-in-Office for the Federal Republic of Yugoslavia, who is also the Special Representative of the European Union, and the return of the long-term missions of the Organization for Security and Cooperation in Europe;

8. *Decides* that all States shall, for the purposes of fostering peace and stability in Kosovo, prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, by their nationals or from their territories or using their flag vessels and aircraft, of arms and related *matériel* of all types, such as weapons and ammunition, military vehicles and equipment and spare parts for the aforementioned, and shall prevent arming and training for terrorist activities there;

9. *Decides* to establish, in accordance with rule 28 of its provisional rules of procedure, a committee of the Security Council, consisting of all the members of the Council, to undertake the following tasks and to report on its work to the Council with its observations and recommendations:

(*a*) To seek from all States information regarding the action taken by them concerning the effective implementation of the prohibitions imposed by the present resolution;

(*b*) To consider any information brought to its attention by any State concerning violations of the prohibitions imposed by the present resolution and to recommend appropriate measures in response thereto;

(*c*) To make periodic reports to the Security Council on information submitted to it regarding alleged violations of the prohibitions imposed by the present resolution;

(*d*) To promulgate such guidelines as may be necessary to facilitate the implementation of the prohibitions imposed by the present resolution;

(*e*) To examine the reports submitted pursuant to paragraph 12 below;

10. *Calls upon* all States and all international and regional organizations to act strictly in conformity with the present resolution, notwithstanding the existence of any rights granted or obligations conferred or imposed by any international agreement or of any contract entered into or any license or permit granted prior to the entry into force of the prohibitions imposed by the present resolution, and stresses in this context the importance of continuing implementation of

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[42] Ibid., document S/1998/246, annex.

[43] Ibid., document S/1998/250.

[44] Ibid., document S/1998/223.

the Agreement on Subregional Arms Control signed in Florence, Italy, on 14 June 1996;

11. *Requests* the Secretary-General to provide all necessary assistance to the Committee established pursuant to paragraph 9 above and to make the necessary arrangements in the Secretariat for this purpose;

12. *Requests* States to report to the Committee established pursuant to paragraph 9 above within thirty days of adoption of the present resolution on the steps they have taken to give effect to the prohibitions imposed by the present resolution;

13. *Invites* the Organization for Security and Cooperation in Europe to keep the Secretary-General informed on the situation in Kosovo and on measures taken by that organization in this regard;

14. *Requests* the Secretary-General to keep the Council regularly informed and to report on the situation in Kosovo and the implementation of the present resolution no later than thirty days following the adoption of the present resolution and every thirty days thereafter;

15. *Also requests* that the Secretary-General, in consultation with appropriate regional organizations, include in his first report recommendations for the establishment of a comprehensive regime to monitor the implementation of the prohibitions imposed by the present resolution, and calls upon all States, in particular neighbouring States, to extend full cooperation in this regard;

16. *Decides* to review the situation on the basis of the reports of the Secretary-General, which will take into account the assessments of, *inter alia*, the Contact Group, the Organization for Security and Cooperation in Europe and the European Union, and decides also to reconsider the prohibitions imposed by the present resolution, including action to terminate them, following receipt of the assessment of the Secretary-General that the Government of the Federal Republic of Yugoslavia, cooperating in a constructive manner with the Contact Group, has:

(*a*) Begun a substantive dialogue in accordance with paragraph 4 above, with the participation of an outside representative or representatives, unless any failure to do so is not because of the position of the Federal Republic of Yugoslavia or Serbian authorities;

(*b*) Withdrawn the special police units and ceased action by the security forces affecting the civilian population;

(*c*) Allowed access to Kosovo by humanitarian organizations as well as representatives of the Contact Group and other embassies;

(*d*) Accepted a mission by the Personal Representative of the Chairman-in-Office of the Organization for Security and Cooperation in Europe for the Federal Republic of Yugoslavia that would include a new and specific mandate for addressing the problems in Kosovo, as well as the return of the long-term missions of the Organization for Security and Cooperation in Europe;

(*e*) Facilitated a mission to Kosovo by the United Nations High Commissioner for Human Rights;

17. *Urges* the Office of the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, established pursuant to resolution 827 (1993) of 25 May 1993, to begin gathering information related to the violence in Kosovo that may fall within its jurisdiction, and notes that the authorities of the Federal Republic of Yugoslavia have an obligation to cooperate with the Tribunal and that the Contact Group countries will make available to the Tribunal substantiated relevant information in their possession;

18. *Affirms* that concrete progress to resolve the serious political and human rights issues in Kosovo will improve the international position of the Federal Republic of Yugoslavia and prospects for normalization of its international relationships and full participation in international institutions;

19. *Emphasizes* that failure to make constructive progress towards the peaceful resolution of the situation in Kosovo will lead to the consideration of additional measures;

20. *Decides* to remain seized of the matter.

Adopted at the 3868th meeting
by 14 votes to none,
with 1 abstention (China).

Decisions

At its 3918th meeting, on 24 August 1998, the Security Council decided to invite the representatives of Germany and Italy to participate, without vote, in the discussion of the item entitled:

> "Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)[32]
>
> "Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)[32]
>
> "Report of the Secretary-General prepared pursuant to Security Council resolution 1160 (1998) (S/1998/712)".[45]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[46]

> "The Security Council has considered the report of the Secretary-General of 5 August 1998 submitted pursuant to its resolution 1160 (1998) of 31 March 1998.[47]

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[45] Ibid., *Supplement for July, August and September 1998.*

[46] S/PRST/1998/25.

[47] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/712.

"The Council remains gravely concerned about the recent intense fighting in Kosovo which has had a devastating impact on the civilian population and has greatly increased the numbers of refugees and displaced persons.

"The Council shares the concern of the Secretary-General that the continuation or further escalation of the conflict in Kosovo has dangerous implications for the stability of the region. In particular, the Council is gravely concerned that given the increasing numbers of displaced persons, coupled with the approaching winter, the situation in Kosovo has the potential to become an even greater humanitarian disaster. The Council affirms the right of all refugees and displaced persons to return to their homes. In particular, the Council emphasizes the importance of unhindered and continuous access of humanitarian organizations to the affected population. The Council is concerned over reports of increasing violations of international humanitarian law.

"The Council calls for an immediate ceasefire. The Council emphasizes that the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanians must achieve a political solution to the issue of Kosovo and that all violence and acts of terrorism from whatever quarter are unacceptable, and reiterates the importance of the implementation of its resolution 1160 (1998). The Council reaffirms the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, and urges the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately into a meaningful dialogue leading to an end to the violence and a negotiated political solution to the issue of Kosovo. It supports in this context the efforts of the Contact Group, including its initiatives to engage the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership in discussions on the future status of Kosovo.

"In this regard, the Council welcomes the announcement by Mr. Ibrahim Rugova, the leader of the Kosovo Albanian community, of the formation of a negotiating team to represent the interests of the Kosovo Albanian community. The formation of the Kosovo Albanian negotiating team should lead to the early commencement of a substantial dialogue with the authorities of the Federal Republic of Yugoslavia, with the aim of ending the violence and achieving a peaceful settlement, including the safe and permanent return of all internally displaced persons and refugees to their homes.

"It remains essential that the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanians accept responsibility for ending the violence in Kosovo, for allowing the people of Kosovo to resume their normal lives and for moving the political process forward.

"The Council will continue to follow the situation in Kosovo closely and will remain seized of the matter."

At its 3930th meeting, on 23 September 1998, the Council decided to invite the representatives of Albania, Bosnia and Herzegovina, Germany and Italy to participate, without vote, in the discussion of the item entitled:

> "Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)[32]
>
> "Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)[32]
>
> > "Report of the Secretary-General prepared pursuant to Security Council resolution 1160 (1998) (S/1998/834 and Add.1)".[45]

Resolution 1199 (1998)
of 23 September 1998

The Security Council,

Recalling its resolution 1160 (1998) of 31 March 1998,

Having considered the reports of the Secretary-General pursuant to resolution 1160 (1998), and in particular his report of 4 September 1998,[48]

Taking note with appreciation of the statement by the Ministers for Foreign Affairs of France, Germany, Italy, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America (the Contact Group) of 12 June 1998 at the conclusion of the meeting of the Contact Group with the Ministers for Foreign Affairs of Canada and Japan,[49] and the further statement of the Contact Group made in Bonn on 8 July 1998,[50]

Taking note also with appreciation of the joint statement of 16 June 1998 by Presidents of the Russian Federation and the Federal Republic of Yugoslavia,[51]

Taking note of the communication by the Prosecutor of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the Contact Group on 7 July 1998, expressing the view that the situation in Kosovo represents an armed conflict within the terms of the mandate of the Tribunal,

Gravely concerned at the recent intense fighting in Kosovo and in particular the excessive and indiscriminate use of force by Serbian security forces and the Yugoslav Army, which have resulted in numerous civilian casualties and, according to the estimate of the Secretary-General, the displacement of over 230,000 persons from their homes,

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[48] Ibid., documents S/1998/834 and Add.1.

[49] Ibid., *Supplement for April, May and June 1998*, document S/1998/567, annex.

[50] Ibid., document S/1998/657, annex.

[51] Ibid., document S/1998/526, annex.

Deeply concerned by the flow of refugees into northern Albania, Bosnia and Herzegovina and other European countries as a result of the use of force in Kosovo, as well as by the increasing numbers of displaced persons within Kosovo, and other parts of the Federal Republic of Yugoslavia, up to 50,000 of whom the Office of the United Nations High Commissioner for Refugees has estimated are without shelter and other basic necessities,

Reaffirming the right of all refugees and displaced persons to return to their homes in safety, and underlining the responsibility of the Federal Republic of Yugoslavia for creating the conditions which allow them to do so,

Condemning all acts of violence by any party, as well as terrorism in pursuit of political goals by any group or individual, and all external support for such activities in Kosovo, including the supply of arms and training for terrorist activities in Kosovo, and expressing concern at the reports of continuing violations of the prohibitions imposed by resolution 1160 (1998),

Deeply concerned by the rapid deterioration in the humanitarian situation throughout Kosovo, alarmed at the impending humanitarian catastrophe as described in the report of the Secretary-General, and emphasizing the need to prevent this from happening,

Deeply concerned also by reports of increasing violations of human rights and of international humanitarian law, and emphasizing the need to ensure that the rights of all inhabitants of Kosovo are respected,

Reaffirming the objectives of resolution 1160 (1998), in which the Council expressed support for a peaceful resolution of the Kosovo problem, which would include an enhanced status for Kosovo, a substantially greater degree of autonomy, and meaningful self-administration,

Reaffirming also the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Affirming that the deterioration of the situation in Kosovo, Federal Republic of Yugoslavia, constitutes a threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that all parties, groups and individuals immediately cease hostilities and maintain a ceasefire in Kosovo, Federal Republic of Yugoslavia, which would enhance the prospects for a meaningful dialogue between the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership and reduce the risks of a humanitarian catastrophe;

2. *Demands also* that the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership take immediate steps to improve the humanitarian situation and to avert the impending humanitarian catastrophe;

3. *Calls upon* the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately into a meaningful dialogue without preconditions and with international involvement, and to a clear timetable, leading to an end of the crisis and to a negotiated political solution to the issue of Kosovo, and welcomes the current efforts aimed at facilitating such a dialogue;

4. *Demands* that the Federal Republic of Yugoslavia, in addition to the measures called for under resolution 1160 (1998), implement immediately the following concrete measures towards achieving a political solution to the situation in Kosovo as contained in the Contact Group statement of 12 June 1998:[49]

(*a*) Cease all action by the security forces affecting the civilian population and order the withdrawal of security units used for civilian repression;

(*b*) Enable effective and continuous international monitoring in Kosovo by the European Community Monitoring Mission and diplomatic missions accredited to the Federal Republic of Yugoslavia, including access and complete freedom of movement of such monitors to, from and within Kosovo, unimpeded by government authorities, and expeditious issuance of appropriate travel documents to international personnel contributing to the monitoring;

(*c*) Facilitate, in agreement with the Office of the United Nations High Commissioner for Refugees and the International Committee of the Red Cross, the safe return of refugees and displaced persons to their homes, and allow free and unimpeded access for humanitarian organizations and supplies to Kosovo;

(*d*) Make rapid progress to a clear timetable, in the dialogue referred to in paragraph 3 above with the Kosovo Albanian community, which was called for in resolution 1160 (1998), with the aim of agreeing to confidence-building measures and finding a political solution to the problems of Kosovo;

5. *Notes*, in this connection, the commitments of the President of the Federal Republic of Yugoslavia, in his joint statement with the President of the Russian Federation of 16 June 1998:[51]

(*a*) To resolve existing problems by political means on the basis of equality for all citizens and ethnic communities in Kosovo;

(*b*) Not to carry out any repressive actions against the peaceful population;

(*c*) To provide full freedom of movement for and ensure that there will be no restrictions on representatives of foreign States and international institutions accredited to the Federal Republic of Yugoslavia monitoring the situation in Kosovo;

(*d*) To ensure full and unimpeded access for humanitarian organizations, the International Committee of the Red Cross and the Office of the United Nations High Commissioner for Refugees, and delivery of humanitarian supplies;

(*e*) To facilitate the unimpeded return of refugees and displaced persons under programmes agreed upon with the Office of the High Commissioner and the International Committee of the Red Cross, providing State aid for the reconstruction of destroyed homes;

and calls for the full implementation of these commitments;

6. *Insists* that the Kosovo Albanian leadership condemn all terrorist action, and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;

7. *Recalls* the obligations of all States to implement fully the prohibitions imposed by resolution 1160 (1998);

8. *Endorses* the steps taken to establish effective international monitoring of the situation in Kosovo, and in this connection welcomes the establishment of the Kosovo Diplomatic Observer Mission;

9. *Urges* States and international organizations represented in the Federal Republic of Yugoslavia to make available personnel to fulfil the responsibility of carrying out effective and continuous international monitoring in Kosovo until the objectives of the present resolution and those of resolution 1160 (1998) are achieved;

10. *Reminds* the Federal Republic of Yugoslavia that it has the primary responsibility for the security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia as well as the safety and security of all international and non-governmental humanitarian personnel in the Federal Republic of Yugoslavia, and calls upon the authorities of the Federal Republic of Yugoslavia and all others concerned in the Federal Republic of Yugoslavia to take all appropriate steps to ensure that monitoring personnel performing functions under the present resolution are not subject to the threat or use of force or interference of any kind;

11. *Requests* States to pursue all means consistent with their domestic legislation and relevant international law to prevent funds collected on their territory being used to contravene resolution 1160 (1998);

12. *Calls upon* Member States and others concerned to provide adequate resources for humanitarian assistance in the region and to respond promptly and generously to the United Nations Consolidated Inter-Agency Appeal for Humanitarian Assistance Related to the Kosovo Crisis;

13. *Calls upon* the authorities of the Federal Republic of Yugoslavia, the leaders of the Kosovo Albanian community and all others concerned to cooperate fully with the Prosecutor of the International Tribunal for the Former Yugoslavia in the investigation of possible violations within the jurisdiction of the Tribunal;

14. *Underlines* the need for the authorities of the Federal Republic of Yugoslavia to bring to justice those members of the security forces who have been involved in the mistreatment of civilians and the deliberate destruction of property;

15. *Requests* the Secretary-General to provide regular reports to the Council as necessary on his assessment of compliance with the present resolution by the authorities of the Federal Republic of Yugoslavia and all elements in the Kosovo Albanian community, including through his regular reports on compliance with resolution 1160 (1998);

16. *Decides*, should the concrete measures demanded in the present resolution and resolution 1160 (1998) not be taken, to consider further action and additional measures to maintain or restore peace and stability in the region;

17. *Decides* to remain seized of the matter.

Adopted at the 3930 meeting
by 14 votes to none,
with 1 abstention (China).

Decisions

On 19 October 1998, the President of the Security Council addressed the following letter to the Secretary-General:[52]

> "I have the honour to inform you that your letter dated 14 October 1998 concerning your intention to send an interdepartmental mission, headed by Mr. Staffan de Mistura, to the Federal Republic of Yugoslavia[53] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 3937th meeting, on 24 October 1998, the Council decided to invite the representatives of Germany, Italy, Poland and Ukraine to participate, without vote, in the discussion of the item entitled:

> "Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council (S/1998/223)[32]
>
> "Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council (S/1998/272)[32]
>
> > "Report of the Secretary-General prepared pursuant to Security Council resolutions 1160 (1998) and 1199 (1998) (S/1998/912)".[24]

Resolution 1203 (1998)
of 24 October 1998

The Security Council,

Recalling its resolutions 1160 (1998) of 31 March 1998 and 1199 (1998) of 23 September 1998, and the importance of the peaceful resolution of the problem of Kosovo, Federal Republic of Yugoslavia,

Having considered the reports of the Secretary-General pursuant to resolutions 1160 (1998) and 1199 (1998), in particular his report of 3 October 1998,[54]

Welcoming the agreement signed in Belgrade on 16 October 1998 by the Minister for Foreign Affairs of the Federal Republic of Yugoslavia and the Chairman-in-Office of the Organization for Security and Cooperation in Europe, providing for that organization to establish a verification mission in Kosovo,[55] including the undertaking of the Federal Republic of Yugoslavia to comply with resolutions 1160 (1998) and 1199 (1998),

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[52] S/1998/967.

[53] S/1998/966.

[54] *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/912.

Welcoming also the agreement signed in Belgrade on 15 October 1998 by the Chief of General Staff of the Federal Republic of Yugoslavia and the Supreme Allied Commander, Europe, of the North Atlantic Treaty Organization, providing for the establishment of an air verification mission over Kosovo,[56] complementing the Organization for Security and Cooperation in Europe Verification Mission in Kosovo,

Welcoming further the decision of the Permanent Council of the Organization for Security and Cooperation in Europe of 15 October 1998,[57]

Welcoming the decision of the Secretary-General to send a mission to the Federal Republic of Yugoslavia to establish a first-hand capacity to assess developments on the ground in Kosovo,

Reaffirming that, under the Charter of the United Nations, primary responsibility for the maintenance of international peace and security is conferred on the Security Council,

Recalling the objectives of resolution 1160 (1998), in which the Council expressed support for a peaceful resolution of the Kosovo problem, which would include an enhanced status for Kosovo, a substantially greater degree of autonomy and meaningful self-administration,

Condemning all acts of violence by any party, as well as terrorism in pursuit of political goals by any group or individual, and all external support for such activities in Kosovo, including the supply of arms and training for terrorist activities in Kosovo, and expressing concern at the reports of continuing violations of the prohibitions imposed by resolution 1160 (1998),

Deeply concerned at the recent closure by the authorities of the Federal Republic of Yugoslavia of independent media outlets in the Federal Republic of Yugoslavia, and emphasizing the need for these to be allowed freely to resume their operations,

Deeply alarmed and concerned at the continuing grave humanitarian situation throughout Kosovo and the impending humanitarian catastrophe, and re-emphasizing the need to prevent this from happening,

Stressing the importance of proper coordination of humanitarian initiatives undertaken by States, the United Nations High Commissioner for Refugees and international organizations in Kosovo,

Emphasizing the need to ensure the safety and security of members of the Verification Mission in Kosovo and the Air Verification Mission over Kosovo,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Affirming that the unresolved situation in Kosovo, Federal Republic of Yugoslavia, constitutes a continuing threat to peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Endorses and supports* the agreements signed in Belgrade on 16 October 1998 between the Federal Republic of Yugoslavia and the Organization for Security and Cooperation in Europe,[55] and on 15 October 1998 between the Federal Republic of Yugoslavia and the North Atlantic Treaty Organization,[56] concerning the verification of compliance by the Federal Republic of Yugoslavia and all others concerned in Kosovo with the requirements of its resolution 1199 (1998), and demands the full and prompt implementation of those agreements by the Federal Republic of Yugoslavia;

2. *Notes* the endorsement by the Government of Serbia of the accord reached by the President of the Federal Republic of Yugoslavia and the United States Special Envoy,[58] and the public commitment of the Federal Republic of Yugoslavia to complete negotiations on a framework for a political settlement by 2 November 1998, and calls for the full implementation of these commitments;

3. *Demands* that the Federal Republic of Yugoslavia comply fully and swiftly with resolutions 1160 (1998) and 1199 (1998) and cooperate fully with the Organization for Security and Cooperation in Europe Verification Mission in Kosovo and the North Atlantic Treaty Organization Air Verification Mission over Kosovo according to the terms of the agreements referred to in paragraph 1 above;

4. *Demands also* that the Kosovo Albanian leadership and all other elements of the Kosovo Albanian community comply fully and swiftly with resolutions 1160 (1998) and 1199 (1998) and cooperate fully with the Verification Mission in Kosovo;

5. *Stresses* the urgent need for the authorities in the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to enter immediately into a meaningful dialogue without preconditions and with international involvement, and a clear timetable, leading to an end of the crisis and to a negotiated political solution to the issue of Kosovo;

6. *Demands* that the authorities of the Federal Republic of Yugoslavia, the Kosovo Albanian leadership and all others concerned respect the freedom of movement of the Verification Mission in Kosovo and other international personnel;

7. *Urges* States and international organizations to make available personnel to the Verification Mission in Kosovo;

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[55] Ibid., document S/1998/978, annex.

[56] Ibid., document S/1998/991, annex.

[57] Ibid., document S/1998/959, annex.

[58] Ibid., document S/1998/953, annex.

8. *Reminds* the Federal Republic of Yugoslavia that it has the primary responsibility for the safety and security of all diplomatic personnel accredited to the Federal Republic of Yugoslavia, including members of the Verification Mission in Kosovo, as well as the safety and security of all international and non-governmental humanitarian personnel in the Federal Republic of Yugoslavia, and calls upon the authorities of the Federal Republic of Yugoslavia, and all others concerned throughout the Federal Republic of Yugoslavia, including the Kosovo Albanian leadership, to take all appropriate steps to ensure that personnel performing functions under the present resolution and the agreements referred to in paragraph 1 above are not subject to the threat or use of force or interference of any kind;

9. *Welcomes* in this context the commitment of the Federal Republic of Yugoslavia to guarantee the safety and security of the Verification Missions as contained in the agreements referred to in paragraph 1 above, notes that, to this end, the Organization for Security and Cooperation in Europe is considering arrangements to be implemented in cooperation with other organizations, and affirms that, in the event of an emergency, action may be needed to ensure their safety and freedom of movement as envisaged in the agreements referred to in paragraph 1 above;

10. *Insists* that the Kosovo Albanian leadership condemn all terrorist actions, demands that such actions cease immediately, and emphasizes that all elements in the Kosovo Albanian community should pursue their goals by peaceful means only;

11. *Demands* immediate action from the authorities of the Federal Republic of Yugoslavia and the Kosovo Albanian leadership to cooperate with international efforts to improve the humanitarian situation and to avert the impending humanitarian catastrophe;

12. *Reaffirms* the right of all refugees and displaced persons to return to their homes in safety, and underlines the responsibility of the Federal Republic of Yugoslavia for creating the conditions which allow them to do so;

13. *Urges* Member States and others concerned to provide adequate resources for humanitarian assistance in the region and to respond promptly and generously to the United Nations Consolidated Inter-Agency Appeal for Humanitarian Assistance Related to the Kosovo Crisis;

14. *Calls* for prompt and complete investigation, including international supervision and participation, of all atrocities committed against civilians and full cooperation with the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, including compliance with its orders, requests for information and investigations;

15. *Decides* that the prohibitions imposed by paragraph 8 of resolution 1160 (1998) shall not apply to relevant equipment for the sole use of the Verification Missions in accordance with the agreements referred to in paragraph 1 above;

16. *Requests* the Secretary-General, acting in consultation with the parties concerned with the agreements referred to in paragraph 1 above, to report regularly to the Council regarding implementation of the present resolution;

17. *Decides* to remain seized of the matter.

Adopted at the 3937th meeting
by 13 votes to none, with 2 abstentions
(China and Russian Federation).

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

[*Resolutions or decisions on this question were also adopted by the Security Council in 1996.*]

Decision

At its 3878th meeting, on 13 May 1998, the Security Council considered the item entitled "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia".

Resolution 1166 (1998)
of 13 May 1998

The Security Council,

Reaffirming its resolution 827 (1993) of 25 May 1993,

Remaining convinced that the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of the former Yugoslavia contributes to the restoration and maintenance of peace in the former Yugoslavia,

Having considered the letter dated 5 May 1998 from the Secretary-General to the President of the Security Council,[59]

Convinced of the need to increase the number of judges and Trial Chambers, in order to enable the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 ("the International Tribunal") to try without delay the large number of accused awaiting trial,

Noting the significant progress being made in improving the procedures of the International Tribunal, and convinced of the need for its organs to continue their efforts to further such progress,

Acting under Chapter VII of the Charter of the United Nations,

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[59] Ibid., *Supplement for April, May and June 1998*, document S/1998/376.

1. *Decides* to establish a third Trial Chamber of the International Tribunal, and to this end decides to amend articles 11, 12 and 13 of the statute of the Tribunal,[60] replacing those articles with the text set out in the annex to the present resolution;

2. *Decides* that three additional judges shall be elected as soon as possible to serve in the additional Trial Chamber, and decides also, without prejudice to paragraph 4 of article 13 of the statute of the International Tribunal, that once elected they shall serve until the date of expiry of the terms of office of the existing judges, and that for the purpose of that election the Security Council shall, notwithstanding paragraph 2 (*c*) of article 13 of the statute, establish a list from the nominations received of no less than six and no more than nine candidates;

3. *Urges* all States to cooperate fully with the International Tribunal and its organs in accordance with their obligations under resolution 827 (1993) and the statute of the Tribunal, and welcomes the cooperation already extended to the Tribunal in the fulfilment of its mandate;

4. *Requests* the Secretary-General to make practical arrangements for the elections mentioned in paragraph 2 above and for enhancing the effective functioning of the International Tribunal, including the timely provision of personnel and facilities, in particular for the third Trial Chamber and related offices of the Prosecutor, and further requests him to keep the Security Council closely informed of progress in this regard;

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3878th meeting.

ANNEX

Amendments to the statute of the International Tribunal

Replace articles 11, 12 and 13 by the following:

Article 11

Organization of the International Tribunal

The International Tribunal shall consist of the following organs:

(*a*) The Chambers, comprising three Trial Chambers and an Appeals Chamber;

(*b*) The Prosecutor; and

(*c*) A Registry, servicing both the Chambers and the Prosecutor.

Article 12

Composition of the Chambers

The Chambers shall be composed of fourteen independent judges, no two of whom may be nationals of the same State, who shall serve as follows:

(*a*) Three judges shall serve in each of the Trial Chambers;

(*b*) Five judges shall serve in the Appeals Chamber.

Article 13

Qualifications and election of judges

1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

2. The judges of the International Tribunal shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(*a*) The Secretary-General shall invite nominations for judges of the International Tribunal from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(*b*) Within sixty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in paragraph 1 above, no two of whom shall be of the same nationality;

(*c*) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received the Security Council shall establish a list of no less than twenty-eight and no more than forty-two candidates, taking due account of the adequate representation of the principal legal systems of the world;

(*d*) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list the General Assembly shall elect the fourteen judges of the International Tribunal. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected. Should two candidates of the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

3. In the event of a vacancy in the Chambers, after consultation with the Presidents of the Security Council and of the General Assembly, the Secretary-General shall appoint a person meeting the qualifications of paragraph 1 above, for the remainder of the term of office concerned.

4. The judges shall be elected for a term of four years. The terms and conditions of service shall be those of the Judges of the International Court of Justice. They shall be eligible for re-election.

Decision

At its 3919th meeting, on 27 August 1998, the Security Council considered the item entitled:

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[60] Ibid., *Forty-eighth Year, Supplement for April, May and June 1993*, document S/25704, annex.

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia

"Establishment of the list of candidates for judges".

Resolution 1191 (1998) of 27 August 1998

The Security Council,

Recalling its resolutions 808 (1993) of 22 February 1993, 827 (1993) of 25 May 1993 and 1166 (1998) of 13 May 1998,

Having decided to consider the nominations for judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 received by the Secretary-General by 4 August 1998,

Forwards the following nominations to the General Assembly in accordance with paragraph 2 (d) of article 13 of the statute of the International Tribunal:

Mr. Mohamed Bennouna (Morocco)
Mr. David Anthony Hunt (Australia)
Mr. Per-Johan Lindholm (Finland)
Mr. Hugo Aníbal Llanos Mansilla (Chile)
Mr. Patrick Robinson (Jamaica)
Mr. Jan Skupinski (Poland)
Mr. S. W. B. Vadugodapitiya (Sri Lanka)
Mr. Luis Valencia-Rodríguez (Ecuador)
Mr. Peter H. Wilkitzki (Germany)

Adopted unanimously at the 3919th meeting.

Decision

At its 3944th meeting, on 17 November 1998, the Security Council decided to invite the representatives of Germany and Italy to participate, without vote, in the discussion of the item entitled:

"International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian law Committed in the Territory of the Former Yugoslavia

"Letter dated 8 September 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/839)[45]

"Letter dated 22 October 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/990)[24]

"Letter dated 6 November 1998 from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council (S/1998/1040)".[24]

Resolution 1207 (1998) of 17 November 1998

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the former Yugoslavia, in particular resolution 827 (1993) of 25 May 1993,

Recalling also the statement by its President of 8 May 1996,[61]

Recalling further the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto,[33] in particular article IX of the Agreement and article X of annex 1-A,

Having considered the letters dated 8 September,[62] 22 October[63] and 6 November 1998[64] from the President of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 addressed to the President of the Security Council,

Deploring the continued failure of the Federal Republic of Yugoslavia to cooperate fully with the International Tribunal, as described in those letters,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of the Federal Republic of Yugoslavia,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* its decision that all States shall cooperate fully with the International Tribunal and its organs in accordance with resolution 827 (1993) and the statute of the Tribunal, including the obligation of States to comply with requests for assistance or orders issued by a Trial Chamber under article 29 of the statute, to execute arrest warrants transmitted to them by the Tribunal, and to comply with its requests for information and investigations;

2. *Calls again upon* the Federal Republic of Yugoslavia, and all other States which have not already done so, to take any measures necessary under their domestic law to implement the provisions of resolution 827 (1993) and the

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[61] S/PRST/1996/23.

[62] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/839.

[63] Ibid., *Supplement for October, November and December 1998*, document S/1998/990.

[64] Ibid., document S/1998/1040.

statute of the International Tribunal, and affirms that a State may not invoke provisions of its domestic law as justification for its failure to perform binding obligations under international law;

3. *Condemns* the failure to date of the Federal Republic of Yugoslavia to execute the arrest warrants issued by the International Tribunal against the three individuals referred to in the letter dated 8 September 1998,[62] and demands the immediate and unconditional execution of those arrest warrants, including the transfer to the custody of the Tribunal of those individuals;

4. *Reiterates its call* upon the authorities of the Federal Republic of Yugoslavia, the leaders of the Kosovo Albanian community and all others concerned to cooperate fully with the Prosecutor in the investigation of all possible violations within the jurisdiction of the International Tribunal;

5. *Requests* the President of the Tribunal to keep the Council informed about the implementation of the present resolution for the further consideration of the Council;

6. *Decides* to remain seized of the matter.

Adopted at the 3944th meeting
by 14 votes to none,
with 1 abstention (China).

The situation in the former Yugoslav Republic of Macedonia

[*Resolutions or decisions on this question were also adopted by the Council in 1995, 1996 and 1997.*]

Decision

At its 3911th meeting, on 21 July 1998, the Security Council decided to invite the representatives of Austria, Germany, Italy and the former Yugoslav Republic of Macedonia to participate, without vote, in the discussion of the item entitled:

> "The situation in the former Yugoslav Republic of Macedonia
>
> > "Report of the Secretary-General on the United Nations Preventive Deployment Force (S/1998/454 and Corr.1)[17]
> >
> > "Report of the Secretary-General on the United Nations Preventive Deployment Force (S/1998/644)".[45]

Resolution 1186 (1998)
of 21 July 1998

The Security Council,

Recalling all its relevant resolutions concerning the conflicts in the former Yugoslavia, in particular resolution 795 (1992) of 11 December 1992, in which it addressed possible developments which could undermine confidence and stability in the former Yugoslav Republic of Macedonia or threaten its territory, and resolution 1142 (1997) of 4 December 1997,

Recalling also its resolutions 1101 (1997) of 28 March 1997 and 1114 (1997) of 19 June 1997, in which it expressed its concern over the situation in Albania, and its resolution 1160 (1998) of 31 March 1998, in which it decided that all States shall prevent the sale or supply to the Federal Republic of Yugoslavia, including Kosovo, of arms and related *matériel* of all types and shall prevent arming and training for terrorist activities there,

Reiterating its appreciation for the important role played by the United Nations Preventive Deployment Force in contributing to the maintenance of peace and stability, and paying tribute to its personnel in the performance of their mandate,

Commending the role of the Force in monitoring the border areas and reporting to the Secretary-General on any developments which could pose a threat to the former Yugoslav Republic of Macedonia and by its presence deterring threats and preventing clashes, including monitoring and reporting on illicit arms flows within its area of responsibility,

Reiterating its call on the Governments of the former Yugoslav Republic of Macedonia and the Federal Republic of Yugoslavia to implement in full their agreement of 8 April 1996,[65] in particular regarding the demarcation of their mutual border,

Taking note of the letters dated 15 May[66] and 9 July 1998[67] from the Minister for Foreign Affairs of the former Yugoslav Republic of Macedonia to the Secretary-General, requesting the extension of the mandate of the Force and endorsing the option of an increase in its troop strength,

Having considered the reports of the Secretary-General of 1 June[68] and 14 July 1998[69] and the recommendations contained therein,

Reaffirming its commitment to the independence, sovereignty and territorial integrity of the former Yugoslav Republic of Macedonia,

1. *Decides* to authorize an increase in the troop strength of the United Nations Preventive Deployment Force up to 1,050 and to extend the current mandate of the Force for a period of six months until 28 February 1999, under which the Force would continue by its presence to deter threats and prevent clashes, to monitor the border areas, and to report to the Secretary-General any developments which could pose a

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[65] Ibid., *Fifty-first Year, Supplement for April, May and June 1996*, document S/1996/291, annex.

[66] Ibid., *Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/401, annex.

[67] Ibid., *Supplement for July, August and September 1998*, document S/1998/627, annex.

[68] Ibid., *Supplement for April, May and June 1998*, document S/1998/454.

[69] Ibid., *Supplement for July, August and September 1998*, document S/1998/644.

threat to the former Yugoslav Republic of Macedonia, including the tasks of monitoring and reporting on illicit arms flows and other activities that are prohibited under resolution 1160 (1998);

2. *Expresses its intention* to consider further the recommendations of the Secretary-General in his report of 14 July 1998;

3. *Decides* to remain seized of the matter.

Adopted unanimously at the 3911th meeting.

Decisions

On 15 September 1998, the President of the Security Council addressed the following letter to the Secretary-General:[70]

"I have the honour to inform you that your letter dated 9 September 1998 concerning your intention to appoint Brigadier General Ove Johnny Strømberg, of Norway, as the Force Commander of the United Nations Preventive Deployment Force[71] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

On 18 December 1998, the President of the Security Council addressed the following letter to the Secretary-General:[72]

"I have the honour to inform you that your letter dated 16 December 1998 concerning your intention to appoint Mr. Fernando Valenzuela Marzo as your Special Representative for the United Nations Preventive Deployment Force in the former Yugoslav Republic of Macedonia[73] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[70] S/1998/854.

[71] S/1998/853.

[72] S/1998/1192.

[73] S/1998/1191.

THE SITUATION BETWEEN IRAQ AND KUWAIT

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1990.*]

Decisions

At its 3848th meeting, on 14 January 1998, the Security Council considered the item entitled:

"The situation between Iraq and Kuwait

"Letter dated 12 January 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/27)[74]

"Letter dated 13 January 1998 from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council (S/1998/28)".[74]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[75]

"The Security Council deplores the statement of the Iraqi official spokesman of 12 January 1998 and the subsequent failure of Iraq to fulfil its obligations to provide the Special Commission with full, unconditional and immediate access to all sites. The Council determines that this failure is unacceptable and a clear violation of the relevant resolutions.

"The Council recalls the statement by its President of 29 October 1997[76] in which it condemned the decision of the Government of Iraq to try to dictate the terms of its compliance with its obligations to cooperate with the Special Commission.

"The Council reiterates its demand, contained in resolution 1137 (1997), that Iraq cooperate fully and immediately and without conditions or restrictions with the Special Commission in accordance with the relevant resolutions, which constitute the governing standard of Iraqi compliance.

"The Council expresses its full support for the Special Commission and its Executive Chairman, including in his forthcoming travel to Iraq to continue his discussions with officials of the Government of Iraq aimed at the full implementation of the relevant resolutions and at increasing the effectiveness and efficiency of the operations of the Special Commission to this end. In this context, the Council recalls the statements by its President of 3 December[77] and 22 December 1997[78] and encourages the efforts reported to it by the Executive Chairman.

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[74] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[75] S/PRST/1998/1.

[76] S/PRST/1997/49.

[77] S/PRST/1997/54.

[78] S/PRST/1997/56.

"The Council requests a full briefing by the Executive Chairman on these discussions as soon as possible after they have taken place, so that it can decide as necessary on an appropriate response on the basis of the relevant resolutions.

"The Council will remain seized of the matter."

At its 3855th meeting, on 20 February 1998, the Security Council considered the item entitled:

"The situation between Iraq and Kuwait

"Report of the Secretary-General pursuant to paragraph 7 of resolution 1143 (1997) (S/1998/90)[74]

"Letter dated 30 January 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council (S/1998/92)".[74]

Resolution 1153 (1998) of 20 February 1998

The Security Council,

Recalling its previous relevant resolutions, in particular resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997 and 1143 (1997) of 4 December 1997,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions, and emphasizing the temporary nature of the distribution plan envisaged by the present resolution,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Welcoming the report submitted by the Secretary-General on 1 February 1998 in accordance with paragraph 7 of resolution 1143 (1997)[79] and his recommendations, as well as the report submitted on 30 January 1998 by the Committee established by resolution 661 (1990), in accordance with paragraph 9 of resolution 1143 (1997),[80]

Noting that the Government of Iraq did not cooperate fully in the preparation of the report of the Secretary-General,

Noting with concern that, despite the ongoing implementation of resolutions 986 (1995), 1111 (1997) and 1143 (1997), the population of Iraq continues to face a very serious nutritional and health situation,

Determined to avoid any further deterioration of the current humanitarian situation,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 0001 hours eastern standard time, on the day after the President of the Security Council has informed the members of the Council that he has received the report of the Secretary-General requested in paragraph 5 below, on which date the provisions of resolution 1143 (1997), if still in force, shall terminate, except as regards sums already produced pursuant to that resolution prior to that date;

2. *Decides also* that the authorization given to States by paragraph 1 of resolution 986 (1995) shall permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce, in the 180-day period referred to in paragraph 1 above, a sum not exceeding a total of 5.256 billion United States dollars, of which the amounts recommended by the Secretary-General for the food/nutrition and health sectors should be allocated on a priority basis, and of which between 682 million United States dollars and 788 million United States dollars shall be used for the purpose referred to in paragraph 8 (*b*) of resolution 986 (1995), except that if less than 5.256 billion United States dollars worth of petroleum or petroleum products is sold during the 180-day period, particular attention will be paid to meeting the urgent humanitarian needs in the food/nutrition and health sectors and the Secretary-General may provide a proportionately smaller amount for the purpose referred to in paragraph 8 (*b*) of resolution 986 (1995);

3. *Directs* the Committee established by resolution 661 (1990) to authorize, on the basis of specific requests, reasonable expenses related to the Hajj, to be met by funds in the escrow account;

4. *Requests* the Secretary-General to take the actions necessary to ensure the effective and efficient implementation of the present resolution and, in particular, to enhance the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council of the equitable distribution of the goods produced in accordance with the present resolution and that all supplies authorized for procurement, including dual-usage items and spare parts, are utilized for the purpose for which they have been authorized;

5. *Also requests* the Secretary-General to report to the Council when he has entered into any necessary arrangements or agreements and approved a distribution plan, submitted by the Government of Iraq, which includes a description of the goods to be purchased and effectively guarantees their equitable distribution, in accordance with his recommendations

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[79] *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/90.

[80] Ibid., document S/1998/92, annex.

that the plan should be ongoing and should reflect the relative priorities of humanitarian supplies as well as their interrelationships within the context of projects or activities, required delivery dates, preferred points of entry and targeted objectives to be achieved;[81]

6. *Urges* all States and, in particular, the Government of Iraq, to provide their full cooperation in the effective implementation of the present resolution;

7. *Appeals* to all States to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and taking all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible;

8. *Stresses* the need to ensure respect for the security and safety of all persons directly involved in the implementation of the present resolution in Iraq;

9. *Decides* to conduct an interim review of the implementation of the present resolution 90 days after the entry into force of paragraph 1 above and a thorough review of all aspects of its implementation prior to the end of the 180-day period, upon receipt of the reports referred to in paragraphs 10 and 14 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably the renewal of the provisions of the present resolution as appropriate, provided that the reports referred to in paragraphs 10 and 14 below indicate that those provisions are being satisfactorily implemented;

10. *Requests* the Secretary-General to submit an interim report to the Council 90 days after the entry into force of paragraph 1 above, and to submit a full report prior to the end of the 180-day period, on the basis of observations by United Nations personnel in Iraq, and on the basis of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (*a*) of resolution 986 (1995), including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 above;

11. *Takes note* of the observation by the Secretary-General that the situation in the electricity sector is extremely grave, and notes his intention to return to the Council with proposals for appropriate funding, requests him to submit urgently to the Council a report for this purpose prepared in consultation with the Government of Iraq, and further requests him to submit to the Council other studies, drawing upon United Nations agencies as appropriate and in consultation with the Government of Iraq, on essential humanitarian needs in Iraq, including necessary improvements to infrastructure;

12. *Requests* the Secretary-General to establish a group of experts to determine, in consultation with the Government of Iraq, whether Iraq is able to export petroleum or petroleum products sufficient to produce the total sum referred to in paragraph 2 above and to prepare an independent report on Iraqi production and transportation capacity and necessary monitoring, also requests him, in the light of that report, to make early and appropriate recommendations, and expresses its readiness to take a decision, on the basis of those recommendations and the humanitarian objectives of the present resolution, notwithstanding paragraph 3 of resolution 661 (1990), regarding authorization of the export of the necessary equipment to enable Iraq to increase the export of petroleum or petroleum products and to give the appropriate directions to the Committee established by resolution 661 (1990);

13. *Also requests* the Secretary-General to report to the Council, if Iraq is unable to export petroleum or petroleum products sufficient to produce the total sum referred to in paragraph 2 above and, following consultations with relevant United Nations agencies and the Iraqi authorities, making recommendations for the expenditure of the sum expected to be available, consistent with the distribution plan referred to in paragraph 5 above;

14. *Requests* the Committee established by resolution 661 (1990), in coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above, and again prior to the end of the 180-day period, on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

15. *Also requests* the Committee established by resolution 661 (1990) to implement the measures and take action on the steps referred to in its report of 30 January 1998,[80] with regard to the refining and clarifying of its working procedures, to consider the relevant observations and recommendations referred to in the report of the Secretary-General of 1 February 1998,[79] in particular with a view to reducing to the extent possible the delay between the export of petroleum and petroleum products from Iraq and the supply of goods to Iraq in accordance with the present resolution, to report to the Council by 31 March 1998 and thereafter to continue to review its procedures whenever necessary;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the 3855th meeting.

Decision

At its 3858th meeting, on 2 March 1998, the Security Council decided to invite the representatives of Argentina, Egypt, Kuwait, Malaysia, Mexico, Pakistan and Peru to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

> "Letter dated 25 February 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/166)".[74]

Resolution 1154 (1998) of 2 March 1998

The Security Council,

Recalling all its previous relevant resolutions, which constitute the governing standard of Iraqi compliance,

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[81] Ibid., document S/1998/90, sect. IV.

Determined to ensure immediate and full compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) of 3 April 1991 and the other relevant resolutions,

Reaffirming the commitment of all Member States to the sovereignty, territorial integrity and political independence of Iraq, Kuwait and the neighbouring States,

Acting under Chapter VII of the Charter of the United Nations,

1. *Commends* the initiative by the Secretary-General to secure commitments from the Government of Iraq on compliance with its obligations under the relevant resolutions, and in this regard endorses the memorandum of understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998,[82] and looks forward to its early and full implementation;

2. *Requests* the Secretary-General to report to the Council as soon as possible with regard to the finalization of procedures for presidential sites in consultation with the Executive Chairman of the Special Commission and the Director General of the International Atomic Energy Agency;

3. *Stresses* that compliance by the Government of Iraq with its obligations, repeated again in the memorandum of understanding, to accord immediate, unconditional and unrestricted access to the Special Commission and the International Atomic Energy Agency in conformity with the relevant resolutions is necessary for the implementation of resolution 687 (1991), but that any violation would have severest consequences for Iraq;

4. *Reaffirms its intention* to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution, and notes that by its failure so far to comply with its relevant obligations Iraq has delayed the moment when the Council can do so;

5. *Decides*, in accordance with its responsibility under the Charter of the United Nations, to remain actively seized of the matter, in order to ensure implementation of the present resolution and to secure peace and security in the area.

Adopted unanimously at the 3858th meeting.

Decisions

On 9 March 1998, the President of the Security Council addressed the following letter to the Secretary-General:[83]

> "I have the honour to inform you that your letter dated 5 March 1998 concerning your decision to appoint Mr. Prakash Shah as your Special Envoy in Baghdad for an initial period of six months[84] has been brought to the attention of the members of the Security Council. They agree with the decision contained in your letter and take note of the information contained therein."

At its 3865th meeting, on 25 March 1998, the Council considered the item entitled:

> "The situation between Iraq and Kuwait
>
> > "Report of the Secretary-General pursuant to paragraph 4 of resolution 1143 (1997) (S/1998/194 and Corr.1)".[74]

Resolution 1158 (1998)
of 25 March 1998

The Security Council,

Recalling its previous resolutions, in particular resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997 and 1153 (1998) of 20 February 1998,

Welcoming the report submitted by the Secretary-General on 4 March 1998 in accordance with paragraph 4 of resolution 1143 (1997),[85] and noting with appreciation, as mentioned in the report, the commitment expressed by the Iraqi Government to cooperate with the Secretary-General in the implementation of resolution 1153 (1998),

Concerned about the resulting humanitarian consequences for the Iraqi people of the shortfall in the revenue from the sale of petroleum and petroleum products during the first 90-day period of implementation of resolution 1143 (1997), due to the delayed resumption in the sale of petroleum by Iraq and a serious price drop since the adoption of resolution 1143 (1997),

Determined to avoid any further deterioration of the current humanitarian situation,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 1143 (1997) shall remain in force, subject to the provisions of resolution 1153 (1998), except that States are authorized to permit the import of petroleum and petroleum products originating in Iraq, including financial and other essential transactions directly relating thereto, sufficient to produce a sum not exceeding a total of 1.4 billion United States dollars within the period of 90 days from 0001 eastern standard time on 5 March 1998;

2. *Decides* to remain seized of the matter.

Adopted unanimously at the 3865th meeting.

Decisions

On 3 April 1998, the President of the Security Council addressed the following letter to the Secretary-General:[86]

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[82] Ibid., document S/1998/166.

[83] S/1998/214.

[84] S/1998/213.

[85] *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/194.

[86] S/1998/296.

"In accordance with the provisions of Security Council resolution 689 (1991) of 9 April 1991 and in the light of your report of 25 March 1998,[87] the members of the Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission and its modalities of operation.

"I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again on 9 October 1998."

At its 3880th meeting, on 14 May 1998, the Council considered the item entitled:

"The situation between Iraq and Kuwait

"Letter dated 9 April 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/312)[88]

"Note by the Secretary-General (S/1998/332)".[88]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[89]

"The Security Council has reviewed the report of 16 April 1998 from the Executive Chairman of the Special Commission[90] and the report of 7 April 1998 from the Director General of the International Atomic Energy Agency.[91] The Council welcomes the improved access provided to the Special Commission and the Agency by the Government of Iraq following the signature of the memorandum of understanding by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998[82] and the adoption of its resolution 1154 (1998) of 2 March 1998. The Council calls for continued implementation of the memorandum of understanding.

"The Council expresses the hope that the agreement by the Government of Iraq to fulfil its obligation to provide immediate, unconditional, and unrestricted access to the Special Commission and the International Atomic Energy Agency will reflect a new Iraqi spirit with regard to providing accurate and detailed information in all areas of concern to the Special Commission and the Agency as required by the relevant resolutions.

"The Council expresses its concern that the most recent reports of the Special Commission, including the reports of the technical evaluation meetings,[92] indicate that Iraq has not provided full disclosure in a number of critical areas, in spite of repeated requests from the Special Commission, and calls upon Iraq to do so. The Council encourages the Special Commission to continue its efforts to improve its effectiveness and efficiency and looks forward to a technical meeting of the members of the Council with the Executive Chairman of the Special Commission as a follow-up to the review of sanctions held by the Council on 27 April 1998.

"The Council notes that the Special Commission and the International Atomic Energy Agency must discharge their mandates as defined under resolutions 687 (1991) of 3 April 1991 and 707 (1991) of 15 August 1991 with full Iraqi cooperation in all areas, including fulfilment by Iraq of its obligation to provide full, final and complete declarations of all aspects of its prohibited programmes for weapons of mass destruction and missiles.

"The Council notes that the investigations by the International Atomic Energy Agency over the past several years have yielded a technically coherent picture of Iraq's clandestine nuclear programme, although Iraq has not supplied full responses to all of the questions and concerns of the Agency, including those specified in paragraphs 24 and 27 of the report of the Director General of 7 April 1998.

"The Council affirms its intention, given the progress of the International Atomic Energy Agency, and in line with paragraphs 12 and 13 of resolution 687 (1991), to agree in a resolution that the Agency dedicate its resources to implementing its ongoing monitoring and verification activities under resolution 715 (1991) of 11 October 1991, upon receipt of a report from the Director General of the International Atomic Energy Agency stating that the necessary technical and substantive clarifications have been made, including provision by Iraq of the necessary responses to all Agency questions and concerns, in order to permit full implementation of the ongoing monitoring and verification plan approved by resolution 715 (1991). In this regard, the Council requests the Director General to provide this information in his report due on 11 October 1998 and to submit a status report by the end of July 1998 for possible action at that time.

"The Council acknowledges that the International Atomic Energy Agency is focusing most of its resources on the implementation and strengthening of its activities under the ongoing monitoring and verification plan. The Council notes that, within the framework of its ongoing monitoring and verification responsibilities, the Agency will continue to exercise its right to investigate any aspect of Iraq's clandestine nuclear programme, in particular through the follow-up of any new information developed by the Agency or provided by Member States and to destroy, remove or render harmless any prohibited

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[87] *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/269.

[88] Ibid., *Supplement for April, May and June 1998*.

[89] S/PRST/1998/11.

[90] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/332, annex.

[91] Ibid., document S/1998/312.

[92] Ibid., *Supplement for January, February and March 1998*, document S/1998/176; and ibid., *Supplement for April, May and June 1998*, document S/1998/308.

> items discovered through such investigations falling under resolutions 687 (1991) and 707 (1991) in conformity with the Agency's ongoing monitoring and verification plan approved by resolution 715 (1991)."

At its 3893rd meeting, on 19 June 1998, the Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Letter dated 15 April 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/330)[88]
>
> "Letter dated 29 May 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/446)".[88]

Resolution 1175 (1998) of 19 June 1998

The Security Council,

Recalling its previous relevant resolutions, in particular resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998 and 1158 (1998) of 25 March 1998,

Welcoming the letter from the Secretary-General dated 15 April 1998,[93] to which was annexed the summary of the report of the group of experts established pursuant to paragraph 12 of resolution 1153 (1998), and noting the assessment that under existing circumstances Iraq is unable to export petroleum or petroleum products sufficient to produce the total sum of 5.256 billion United States dollars referred to in resolution 1153 (1998),

Welcoming also the letter from the Secretary-General dated 29 May 1998[94] expressing his approval of the distribution plan submitted by the Government of Iraq,[95]

Convinced of the need to continue the programme authorized by resolution 1153 (1998) as a temporary measure to provide for the humanitarian needs of the Iraqi people until fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Reaffirming its endorsement, in paragraph 5 of resolution 1153 (1998), of the recommendations made by the Secretary-General in his report of 1 February 1998[79] concerning an improved, ongoing and project-based distribution plan,

Reaffirming also the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Authorizes* States, subject to the provisions of paragraph 2 below, to permit, notwithstanding the provisions of paragraph 3 (*c*) of resolution 661 (1990), the export to Iraq of the necessary parts and equipment to enable Iraq to increase the export of petroleum and petroleum products, in quantities sufficient to produce the sum established in paragraph 2 of resolution 1153 (1998);

2. *Requests* the Committee established by resolution 661 (1990), or a panel of experts appointed by that Committee for this purpose, to approve contracts for the parts and equipment referred to in paragraph 1 above according to lists of parts and equipment approved by the Committee for each individual project;

3. *Decides* that the funds in the escrow account produced pursuant to resolution 1153 (1998) up to a total of 300 million United States dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from contracts approved in accordance with paragraph 2 above;

4. *Decides also* that the expenses directly related to such exports may, until the necessary funds are paid into the escrow account, and following approval of each contract, be financed by letters of credit drawn against future oil sales, the proceeds of which are to be deposited in the escrow account;

5. *Notes* that the distribution plan approved by the Secretary-General on 29 May 1998,[95] or any new distribution plan agreed on by the Government of Iraq and the Secretary-General, will remain in effect, as required, for each subsequent periodic renewal of the temporary humanitarian arrangements for Iraq and that, for this purpose, the plan will be kept under constant review and amended as necessary through the agreement of the Secretary-General and the Government of Iraq and in a manner consistent with resolution 1153 (1998);

6. *Expresses its gratitude* to the Secretary-General for making available to the Committee established by resolution 661 (1990) a comprehensive review, with comments by the group of experts established pursuant to paragraph 12 of resolution 1153 (1998), of the list of parts and equipment presented by the Government of Iraq, and requests the Secretary-General, in accordance with the intention expressed in his letter dated 15 April 1998,[93] to provide for the monitoring of the parts and equipment inside Iraq;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the
3893rd meeting.

Decisions

On 18 August 1998, the President of the Security Council addressed the following letter to the Director General of the International Atomic Energy Agency:[96]

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[93] Ibid., *Supplement for April, May and June 1998*, document S/1998/330.

[94] Ibid., document S/1998/446.

[95] Ibid., annex II.

[96] S/1998/768.

"On behalf of the members of the Security Council, I am replying to your letter dated 11 August 1998 to the President of the Security Council.[97]

"The members of the Council take note with concern that Iraq's decision to suspend cooperation with the International Atomic Energy Agency prevents the Agency from carrying out the full range of its activities, as mandated under the relevant Council resolutions, in particular resolution 687 (1991), which constitute the governing standard for Iraqi compliance.

"The members of the Council, as their initial reaction, consider that Iraq's announcement is totally unacceptable and contravenes the relevant Council resolutions and the memorandum of understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998.[82] The members of the Council note with regret that the announcement was made after a period of improved cooperation and achievement of some tangible results since the signing of the memorandum of understanding.

"The members of the Council also take note with concern of your assessment that current circumstances result in a significantly reduced level of assurance than would be provided through the full implementation of the ongoing monitoring and verification plan.

"The members of the Council reiterate their full support for the International Atomic Energy Agency and the Special Commission in the full implementation of their mandates. Iraq is obliged under the relevant Security Council resolutions to provide the Agency and the Special Commission with the cooperation necessary for them to undertake their activities, including inspections. You should continue to report to the Council on all occasions that you deem necessary.

"The members of the Council also express their support for the continuing efforts of the Secretary-General and his Special Envoy. The members of the Council emphasize the need for an early resumption of dialogue between the International Atomic Energy Agency and Iraq and will be ready to respond favourably to future progress made in the disarmament process."

On 18 August 1998, the President of the Security Council addressed the following letter to the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of Council resolution 687 (1991):[98]

"On behalf of the members of the Security Council, I am replying to your letter dated 12 August 1998 to the President of the Council.[99]

"The members of the Council take note with concern that Iraq's decision to suspend cooperation with the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of Council resolution 687 (1991) prevents the Special Commission from carrying out the full range of its activities, as mandated under the relevant Council resolutions, in particular resolution 687 (1991), which constitute the governing standard for Iraqi compliance.

"The members of the Council, as their initial reaction, consider that Iraq's announcement is totally unacceptable and contravenes the relevant Council resolutions and the memorandum of understanding signed by the Secretary-General and the Deputy Prime Minister of Iraq on 23 February 1998.[82] The members of the Council note with regret that the announcement was made after a period of improved cooperation and achievement of some tangible results since the signing of the memorandum of understanding.

"The members of the Council also take note with concern of your assessment that under current circumstances, The Special Commission cannot continue to provide the Council with the same level of assurances of Iraq's compliance with its obligation not to re-establish its proscribed weapons programmes.

"The members of the Council reiterate their full support for the International Atomic Energy Agency and the Special Commission in the full implementation of their mandates. Iraq is obliged under the relevant Council resolutions to provide the Agency and the Special Commission with the cooperation necessary for them to undertake their activities, including inspections. You should continue to report to the Council on all occasions that you deem necessary.

"The members of the Council also express their support for the continuing efforts of the Secretary-General and his Special Envoy. The members of the Council emphasize the need for an early resumption of dialogue between the United Special Commission and Iraq and will be ready to respond favourably to future progress made in the disarmament process."

At its 3924th meeting, on 9 September 1998, the Council considered the item entitled "The situation between Iraq and Kuwait".

Resolution 1194 (1998)
of 9 September 1998

The Security Council,

Recalling all its previous relevant resolutions, in particular resolutions 687 (1991) of 3 April 1991, 707 (1991) of 15 August 1991, 715 (1991) of 11 October 1991, 1060 (1996) of 12 June 1996, 1115 (1997) of 21 June 1997 and 1154 (1998) of 2 March 1998,

Noting the announcement by Iraq on 5 August 1998 that it had decided to suspend cooperation with the Special Commission and the International Atomic Energy Agency on all disarmament activities and restrict ongoing monitoring and verification activities at declared sites, and/or actions implementing the above decision,

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[97] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/766, annex.

[98] S/1998/769.

[99] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/767.

Stressing that the necessary conditions do not exist for the modification of the measures referred to in section F of resolution 687 (1991),

Recalling the letter dated 12 August 1998 from the Executive Chairman of the Special Commission to the President of the Security Council,[96] in which the Executive Chairman reported to the Council that Iraq had halted all disarmament activities of the Special Commission and placed limitations on the rights of the Commission to conduct its monitoring operations,

Recalling also the letter dated 11 August 1998 from the Director General of the International Atomic Energy Agency to the President of the Security Council,[97] in which the Director General reported the refusal by Iraq to cooperate in any activity involving investigation of its clandestine nuclear programme and other restrictions of access placed by Iraq on the ongoing monitoring and verification programme of the Agency,

Taking note of the letters dated 18 August 1998 from the President of the Security Council to the Executive Chairman of the Special Commission[98] and the Director General of the International Atomic Energy Agency,[99] in which the Council expressed its full support for those organizations in the implementation of the full range of their mandated activities, including inspections,

Recalling the memorandum of understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998,[82] in which Iraq reiterated its undertaking to cooperate fully with the Special Commission and the International Atomic Energy Agency,

Noting that the announcement by Iraq of 5 August 1998 followed a period of increased cooperation and some tangible progress achieved since the signing of the memorandum of understanding,

Reiterating its intention to respond favourably to future progress made in the disarmament process, and reaffirming its commitment to comprehensive implementation of its resolutions, in particular resolution 687 (1991),

Determined to ensure full compliance by Iraq with its obligations under all previous resolutions, in particular resolutions 687 (1991), 707 (1991), 715 (1991), 1060 (1996), 1115 (1997) and 1154 (1998), to permit immediate, unconditional and unrestricted access to the Special Commission and the International Atomic Energy Agency to all sites they wish to inspect, and to provide the Special Commission and the Agency with all the cooperation necessary for them to fulfil their mandates under those resolutions,

Stressing the unacceptability of any attempts by Iraq to deny access to any sites or to refuse to provide the necessary cooperation,

Expressing its readiness to consider, in a comprehensive review, Iraq's compliance with its obligations under all relevant resolutions once Iraq has rescinded its above-mentioned decision and demonstrated that it is prepared to fulfil all its obligations, including, in particular on disarmament issues, by resuming full cooperation with the Special Commission and the International Atomic Energy Agency consistent with the memorandum of understanding, as endorsed by the Council in resolution 1154 (1998), and, to that end, welcoming the proposal of the Secretary-General for such a comprehensive review and inviting the Secretary-General to provide his views in that regard,

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the decision by Iraq of 5 August 1998 to suspend cooperation with the Special Commission and the International Atomic Energy Agency, which constitutes a totally unacceptable contravention of its obligations under resolutions 687 (1991), 707 (1991), 715 (1991), 1060 (1996), 1115 (1997) and 1154 (1998), and the memorandum of understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998;[82]

2. *Demands* that Iraq rescind its above-mentioned decision and cooperate fully with the Special Commission and the International Atomic Energy Agency in accordance with its obligations under the relevant resolutions and the memorandum of understanding as well as resume dialogue with the Special Commission and the Agency immediately;

3. *Decides* not to conduct the review scheduled for October 1998 provided for in paragraphs 21 and 28 of resolution 687 (1991), and not to conduct any further such reviews until Iraq rescinds its above-mentioned decision and the Special Commission and the International Atomic Energy Agency report to the Council that they are satisfied that they have been able to exercise the full range of activities provided for in their mandates, including inspections;

4. *Reaffirms its full support* for the Special Commission and the International Atomic Energy Agency in their efforts to ensure the implementation of their mandates under the relevant resolutions of the Council;

5. *Also reaffirms its full support* for the Secretary-General in his efforts to urge Iraq to rescind its above-mentioned decision;

6. *Reaffirms its intention* to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution, and notes that by its failure so far to comply with its relevant obligations, Iraq has delayed the moment when the Council can do so;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the
3924th meeting.

Decisions

On 7 October 1998, the President of the Security Council addressed the following letter to the Secretary-General:[100]

"In accordance with the provisions of Security Council resolution 689 (1991) and in the light of your report of 24 September 1998,[101] the members of the Council have reviewed the question of termination or continuation of the United Nations Iraq-Kuwait Observation Mission and its modalities of operation.

"I have the honour to inform you that the members of the Council concur with your recommendation that the Mission be maintained. In accordance with resolution 689 (1991), they have decided to review the question once again by 7 April 1999."

At its 3939th meeting, on 5 November 1998, the Council considered the item entitled:

"The situation between Iraq and Kuwait

"Letter dated 31 October 1998 from the Deputy Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/1023).[102]

"Letter dated 2 November 1998 from the Executive Chairman of the Special Commission established by the Secretary-General pursuant to paragraph 9 (*b*) (i) of Security Council resolution 687 (1991) addressed to the President of the Security Council (S/1998/1032)[102]

"Letter dated 3 November 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1033)".[102]

Resolution 1205 (1998)
of 5 November 1998

The Security Council,

Recalling all its previous relevant resolutions on the situation in Iraq, in particular resolution 1154 (1998) of 2 March 1998 and 1194 (1998) of 9 September 1998,

Noting with alarm the decision of Iraq on 31 October 1998 to cease cooperation with the Special Commission, and its continued restrictions on the work of the International Atomic Energy Agency,

Taking note of the letters from the Deputy Executive Chairman of the Special Commission dated 31 October 1998[103] and the Executive Chairman of the Special Commission dated 2 November 1998[104] to the President of the Security Council, which reported to the Council the decision by Iraq and described the implications of that decision for the work of the Special Commission, and taking note also of the letter from the Director General of the International Atomic Energy Agency dated 3 November 1998,[105] which described the implications of the decision for the work of the Agency were described,

Determined to ensure immediate and full compliance by Iraq without conditions or restrictions with its obligations under resolution 687 (1991) of 3 April 1991 and the other relevant resolutions,

Recalling that the effective operation of the Special Commission and the International Atomic Energy Agency is essential for the implementation of resolution 687 (1991),

Reaffirming its readiness to consider, in a comprehensive review, Iraq's compliance with its obligations under all relevant resolutions once Iraq has rescinded its above-mentioned decision and its decision of 5 August 1998 and demonstrated that it is prepared to fulfil all its obligations, including in particular on disarmament issues, by resuming full cooperation with the Special Commission and the International Atomic Energy Agency consistent with the memorandum of understanding signed by the Deputy Prime Minister of Iraq and the Secretary-General on 23 February 1998,[82] endorsed by the Council in resolution 1154 (1998),

Reiterating the commitment of all Member States to the sovereignty, territorial integrity and political independence of Kuwait and Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Condemns* the decision by Iraq of 31 October 1998 to cease cooperation with the Special Commission as a flagrant violation of resolution 687 (1991) and other relevant resolutions;

2. *Demands* that Iraq rescind immediately and unconditionally the decision of 31 October 1998, as well as the decision of 5 August 1998, to suspend cooperation with the Special Commission and to maintain restrictions on the work of the International Atomic Energy Agency, and that Iraq provide immediate, complete and unconditional cooperation with the Special Commission and the Agency;

3. *Reaffirms its full support* for the Special Commission and the International Atomic Energy Agency in their efforts to ensure the implementation of their mandates under the relevant resolutions of the Council;

4. *Expresses its full support* for the Secretary-General in his efforts to seek full implementation of the memorandum of understanding of 23 February 1998;[82]

5. *Reaffirms its intention* to act in accordance with the relevant provisions of resolution 687 (1991) on the duration of the prohibitions referred to in that resolution, and notes that, by

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[100] S/1998/925.

[101] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/889.

[102] Ibid., *Supplement for October, November and December 1998*.

[103] Ibid., document S/1998/1023.

[104] Ibid., document S/1998/1032.

[105] Ibid., document S/1998/1033, annex.

its failure so far to comply with its relevant obligations, Iraq has delayed the moment when the Council can do so;

6. *Decides*, in accordance with its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, to remain actively seized of the matter.

Adopted unanimously at the 3939th meeting.

Decision

At its 3946th meeting, on 24 November 1998, the Security Council considered the item entitled:

"The situation between Iraq and Kuwait

> "Report of the Secretary-General pursuant to paragraph 10 of Security Council resolution 1153 (1998) (S/1998/1100)[102]
>
> "Letter dated 20 November 1998 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait addressed to the President of the Security Council (S/1998/1104)".[102]

Resolution 1210 (1998)
of 24 November 1998

The Security Council,

Recalling its previous relevant resolutions, in particular resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998 and 1175 (1998) of 19 June 1998,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Welcoming the positive impact of the relevant resolutions on the humanitarian situation in Iraq, as described in the report of the Secretary-General of 19 November 1998,[106]

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12, shall remain in force for a new period of 180 days beginning at 0001 hours eastern standard time on 26 November 1998;

2. *Also decides* that paragraph 2 of resolution 1153 (1998) shall remain in force and shall apply to the 180-day period referred to in paragraph 1 above;

3. *Directs* the Committee established by resolution 661 (1990) to authorize, on the basis of specific requests, reasonable expenses related to the Hajj, to be met by funds in the escrow account;

4. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of the present resolution, and to review, by 31 December 1998, the various options to resolve the difficulties encountered in the financial process, referred to in the report of the Secretary-General of 19 November 1998,[106] and to continue to enhance as necessary the United Nations observation process in Iraq in such a way as to provide the required assurance to the Council that the goods produced in accordance with the present resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized;

5. *Decides* to conduct a thorough review of all aspects of the implementation of the present resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, upon receipt of the reports referred to in paragraphs 6 and 10 below, and expresses its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of the present resolution as appropriate, provided that the said reports indicate that those provisions are being satisfactorily implemented;

6. *Requests* the Secretary-General to report to the Council 90 days after the date of entry into force of paragraph 1 above, and again prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (*a*) of resolution 986 (1995), including in his reports any observations he may have on the adequacy of the revenues to meet Iraq's humanitarian needs, and on Iraq's capacity to export sufficient quantities of petroleum and petroleum products to produce the sum referred to in paragraph 2 of resolution 1153 (1998);

7. *Also requests* the Secretary-General to report to the Council if Iraq is unable to export petroleum and petroleum products sufficient to produce the total sum provided for by paragraph 2 above and, following consultations with relevant United Nations agencies and the Iraqi authorities, make recommendations for the expenditure of the sum expected to be available, consistent with the priorities established in paragraph 2 of resolution 1153 (1998) and with the distribution plan referred to in paragraph 5 of resolution 1175 (1998);

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[106] Ibid., document S/1998/1100.

8. *Decides* that paragraphs 1, 2, 3 and 4 of resolution 1175 (1998) shall remain in force and shall apply to the new 180-day period referred to in paragraph 1 above;

9. *Requests* the Secretary-General, in consultation with the Government of Iraq, to submit to the Council, by 31 December 1998, a detailed list of parts and equipment necessary for the purpose described in paragraph 1 of resolution 1175 (1998);

10. *Requests* the Committee established by resolution 661 (1990), in close coordination with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

11. *Urges* all States, and in particular the Government of Iraq, to provide their full cooperation in the effective implementation of the present resolution;

12. *Appeals* to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently required humanitarian supplies reach the Iraqi people as rapidly as possible;

13. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of the present resolution in Iraq,

14. *Decides* to remain seized of the matter.

Adopted unanimously at the 3946th meeting.

Decision

At its 3955th meeting, on 16 December 1998, the Security Council decided to invite the representative of Iraq to participate, without vote, in the discussion of the item entitled:

"The situation between Iraq and Kuwait

> "Letter dated 15 December 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1172)".[102]

THE SITUATION CONCERNING WESTERN SAHARA

[*Resolutions or decisions on this question were also adopted by the Security Council in 1975, 1988 and 1990 to 1997.*]

Decision

At its 3849th meeting, on 26 January 1998, the Security Council considered the item entitled:

"The situation concerning Western Sahara

> "Report of the Secretary-General on the situation concerning Western Sahara (S/1998/35)".[107]

Resolution 1148 (1998) of 26 January 1998

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara, in particular resolution 1133 (1997) of 20 October 1997 in which it decided to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 20 April 1998 and to increase its size in accordance with the recommendation of the Secretary-General contained in his report of 24 September 1997,[108]

Having considered the report of the Secretary-General of 13 November 1997,[109] which contains a detailed plan, a timetable and financial implications for the increase in the strength of the Mission,

Welcoming the letter dated 12 December 1997 from the Secretary-General to the President of the Security Council,[110] which, *inter alia*, records the resumption of the identification of eligible voters in accordance with the settlement plan[111] and the agreements reached between the parties for its implementation, and the report of the Secretary-General of 15 January 1998,[112] which, *inter alia*, records progress made since the resumption of the identification process,

Welcoming also the appointment of the Special Representative of the Secretary-General for Western Sahara,

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[107] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[108] Ibid., *Fifty-second Year, Supplement for July, August and September 1997*, documents S/1997/742 and Add.1.

[109] Ibid., *Supplement for October, November and December 1997*, documents S/1997/882 and Add.1.

[110] Ibid., document S/1997/974.

[111] Ibid., *Forty-fifth Year, Supplement for April, May and June 1990*, document S/21360; and ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22464.

[112] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/35.

1. *Approves* the deployment of the engineering unit required for demining activities and of the additional administrative staff required to support the deployment of military personnel as proposed in annex II to the report of the Secretary-General;[113]

2. *Expresses its intention* to consider positively the request for the remaining additional military and civilian police assets for the United Nations Mission for the Referendum in Western Sahara as proposed in annex II to the report of the Secretary-General, as soon as the Secretary-General reports that the identification process has reached a stage which makes the deployment of these assets essential;

3. *Calls upon* both parties to cooperate with the Special Representative of the Secretary-General and to cooperate further with the Identification Commission established pursuant to the settlement plan[111] in order that the identification process can be completed in a timely fashion in accordance with the settlement plan and the agreements reached between the parties for its implementation;

4. *Requests* the Secretary-General to keep the Council fully informed of further developments in the implementation of the settlement plan;

5. *Decides* to remain seized of the matter.

Adopted unanimously at the 3849th meeting.

Decision

At its 3873rd meeting, on 17 April 1998, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1998/316)".[114]

Resolution 1163 (1998) of 17 April 1998

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

Reaffirming its full support for the Secretary-General, his Personal Envoy, his Special Representative and the United Nations Mission for the Referendum in Western Sahara in the implementation of the settlement plan[111] and the agreements reached by the two parties for its implementation, and recalling that under these agreements the responsibility for implementing the identification process lies with the Identification Commission,

Reiterating its commitment to assist the parties to achieve a just and lasting solution to the question of Western Sahara,

Reiterating also its commitment to the holding without further delay of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan, which has been accepted by the two parties,

Welcoming the report of the Secretary-General of 13 April 1998,[115] and supporting the observations and recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 20 July 1998, in order that the Mission may proceed with its identification tasks, with the aim of completing the process;

2. *Calls upon* the parties to cooperate constructively with the United Nations, the Special Representative of the Secretary-General and the Identification Commission established pursuant to the settlement plan[111] in order to complete the identification- of-voters phase of the settlement plan and the agreements reached for its implementation;

3. *Notes* the continuing deployment of the engineering unit required for demining activities and of the administrative staff required to support the deployment of military personnel as proposed in annex II to the report of the Secretary-General of 13 November 1997,[113] as further described in the recommendations of the report of the Secretary-General of 13 April 1998;[115]

4. *Expresses again its intention* to consider positively the request for the remaining additional military and police assets for the Mission as proposed in annex II to the report of the Secretary-General of 13 November 1997, as soon as the Secretary-General reports that the identification process has reached a stage which makes the deployment of these assets essential;

5. *Calls upon* the Governments of Morocco, Algeria and Mauritania to conclude respective status-of-forces agreements with the Secretary-General, and recalls that pending the conclusion of such agreements, the model status-of-forces agreement dated 9 October 1990,[116] as provided for in General Assembly resolution 52/12 B of 19 December 1997, should apply provisionally;

6. *Requests* the Secretary-General to report to the Council every thirty days from the date of extension of the mandate of the Mission on the progress of the implementation of the settlement plan and the agreements reached between the parties, and to keep the Council regularly informed of all significant developments in the interim period, and, as appropriate, on the continuing viability of the mandate of the Mission;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 3873rd meeting.

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[113] Ibid., *Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/882.

[114] Ibid., *Fifty-third Year, Supplement for April, May and June 1998.*

[115] Ibid., document S/1998/316.

[116] A/45/594

Decisions

On 30 April 1998, the President of the Security Council addressed the following letter to the Secretary-General:[117]

> "I have the honour to inform you that your letter dated 31 March 1998 concerning your intention to add Sweden to the list of countries contributing military personnel to the United Nations Mission for the Referendum in Western Sahara[118] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 3910th meeting, on 20 July 1998, the Security Council considered the item entitled:

> "The situation concerning Western Sahara
>
> > "Report of the Secretary-General on the situation concerning Western Sahara (S/1998/634)".[119]

Resolution 1185 (1998)
of 20 July 1998

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

Reaffirming its full support for the Secretary-General, his Personal Envoy, his Special Representative and the United Nations Mission for the Referendum in Western Sahara in the implementation of the settlement plan,[111] and the agreements reached by the two parties for its implementation, and recalling that under these agreements the responsibility for implementing the identification process lies with the Identification Commission,

Reiterating its commitment to assist the parties to achieve a just and lasting solution to the question of Western Sahara,

Reiterating also its commitment to the holding without further delay of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan, which has been accepted by the two parties,

Welcoming the report of the Secretary-General of 10 July 1998,[120] and supporting the observations and recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 21 September 1998, in order that the Mission may proceed with its identification tasks, with the aim of completing the process;

2. *Welcomes*, in line with the report of the Secretary-General,[120] engagement by his Personal Envoy with the parties to seek a solution to those issues bearing upon implementation of the settlement plan;[111]

3. *Calls upon* the parties to cooperate constructively with the United Nations, the Personal Envoy of the Secretary-General, the Special Representative of the Secretary-General and the Identification Commission established pursuant to the settlement plan in order to complete the identification-of-voters phase of the settlement plan and the agreements reached for its implementation;

4. *Notes with satisfaction* the expressed readiness of the Moroccan Government to cooperate with the Office of the United Nations High Commissioner for Refugees in order to formalize the presence of the Office of the High Commissioner in Western Sahara, according to the settlement plan;

5. *Notes* the continuing deployment of the engineering unit required for demining activities and of the administrative staff required to support the deployment of military personnel as proposed in annex II to the report of the Secretary-General of 13 November 1997,[113] as further described in the recommendations of the report of the Secretary-General of 13 April 1998;[115]

6. *Expresses again its intention* to consider positively the request for the remaining additional military and police assets for the Mission as proposed in annex II to the report of the Secretary-General of 13 November 1997, as soon as the Secretary-General reports that the identification process has reached a stage which makes the deployment of these assets essential;

7. *Calls* for a prompt conclusion of status-of-forces agreements with the Secretary-General which would greatly facilitate the full and timely deployment of the Mission-formed military units, in particular the deployment of the military engineering support and demining units, and in this context notes progress that has been made, and recalls that pending the conclusion of such agreements, the model status-of-forces agreement dated 9 October 1990,[116] as provided for in General Assembly resolution 52/12 B of 19 December 1997, should apply provisionally;

8. *Calls* for the lifting of any restrictions imposed on the Mission aircraft, or on passengers whose travel the Mission determines to be of assistance to the fulfilment of the mandate, in line with the practice of United Nations peacekeeping operations, and notes that discussions are being held to this end;

9. *Requests* the Secretary-General to report to the Council every thirty days from the date of extension of the mandate of the Mission on the progress of the implementation of the settlement plan and the agreements reached between the parties, and to keep the Council regularly informed of all significant developments in the interim period, and, as appropriate, on the continuing viability of the mandate of the Mission;

10. *Decides* to remain seized of the matter.

Adopted unanimously at the
3910th meeting

Decision

At its 3929th meeting, on 18 September 1998, the Security Council considered the item entitled:

> "The situation concerning Western Sahara

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[117] S/1998/357.

[118] S/1998/356.

[119] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998.*

[120] Ibid., document S/1998/634

"Report of the Secretary-General on the situation concerning Western Sahara (S/1998/849)".[119]

Resolution 1198 (1998) of 18 September 1998

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

Reiterating its commitment to assist the parties to achieve a just and lasting solution to the question of Western Sahara,

Reiterating also its commitment to the holding without further delay of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan,[111] which has been accepted by the two parties,

Welcoming the report of the Secretary-General of 11 September 1998,[121] and supporting the observations and recommendations contained therein,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 October 1998;

2. *Welcomes*, in line with paragraph 23 of the report of the Secretary-General, engagement of his Personal Envoy with the parties to seek a solution to those issues bearing upon implementation of the settlement plan;[111]

3. *Welcomes also* the agreement of the Moroccan authorities to formalize the presence of the Office of the United Nations High Commissioner for Refugees in Western Sahara, and requests both parties to take concrete action to enable the Office of the High Commissioner to carry out the necessary preparatory work for the repatriation of Saharan refugees eligible to vote, and their immediate families, according to the settlement plan;

4. *Calls* for a prompt conclusion of status-of-forces agreements with the Secretary-General which would greatly facilitate the full and timely deployment of the Mission-formed military units, and in this context notes new progress that has been made, and recalls that pending the conclusion of such agreements, the model status-of-forces agreement dated 9 October 1990,[116] as provided for in General Assembly resolution 52/12 B of 19 December 1997, should apply provisionally;

5. *Requests* the Secretary-General to report to the Council thirty days from the date of extension of the mandate of the Mission on the progress of the implementation of the settlement plan and the agreements reached between the parties, and to keep the Council regularly informed of all significant developments and, as appropriate, on the continuing viability of the mandate of the Mission;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 3929th meeting.

Decision

At its 3938th meeting, on 30 October 1998, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1998/997)".[122]

Resolution 1204 (1998) of 30 October 1998

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara,

Reiterating its commitment to assist the parties to achieve a just and lasting solution to the question of Western Sahara,

Reiterating its commitment also to the holding without further delay of a free, fair and impartial referendum for the self-determination of the people of Western Sahara in accordance with the settlement plan,[111] which has been accepted by the two parties,

Welcoming the report of the Secretary-General of 26 October 1998[123] and the observations and recommendations contained therein,

Welcoming also the stated intentions of the Government of Morocco and the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to cooperate actively with the United Nations Mission for the Referendum in Western Sahara in implementing the proposals contained in the report,

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 17 December 1998;

2. *Welcomes* paragraph 4 of the report of the Secretary-General,[123] regarding the protocol relating to the identification of those presenting themselves individually from tribes H41, H61 and J51/52, the protocol relating to the appeals process, the memorandum pertaining to the activities of the Office of the United Nations High Commissioner for Refugees in the region, and an outline of the next stages of the settlement plan,[111] and calls on the parties to agree to this package of measures by mid-November 1998 in order to allow positive consideration of further stages in the settlement process;

3. *Notes* the intention of the Office of the High Commissioner to forward to the parties soon a protocol relating to the repatriation of refugees, and supports efforts in this regard;

4. *Welcomes also* the agreement of the Moroccan authorities to formalize the presence of the Office of the High Commissioner in Western Sahara, and the agreement of the Frente Popular para la Liberación de Saguia el-Hamra y de Rio de Oro to resume pre-registration activities in the refugee

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[121] Ibid., document S/1998/849.

[122] Ibid., *Supplement for October, November and December 1998.*

[123] Ibid., document S/1998/997.

camps, and requests both parties to take concrete action to enable the Office of the High Commissioner to carry out the necessary preparatory work for the repatriation of Saharan refugees eligible to vote, and their immediate families, according to the settlement plan;

5. *Notes with regret* the constraints on the operational capability of engineering support unit of the Mission, calls for a prompt conclusion of status-of-forces agreements with the Secretary-General which is an indispensable prerequisite for the full and timely deployment of the Mission -formed military units, and recalls that pending the conclusion of such agreements, the model status-of-forces agreement dated 9 October 1990,[116] as provided for in General Assembly resolution 52/12 B of 19 December 1997, should apply provisionally;

6. *Supports* the intention of the Mission to start publishing the provisional list of voters by 1 December 1998, as proposed by the Secretary-General, and supports also the proposed increase in staff of the Identification Commission from eighteen to twenty-five members, and the increase also in the necessary support personnel, in order to strengthen the Commission and enable it to continue working with utmost rigour and impartiality with a view to keeping to the proposed timetable;

7. *Requests* the Secretary-General to report to the Council by 11 December 1998 on the implementation of the present resolution and on the progress of the implementation of the settlement plan and the agreements reached between the parties, and to keep the Council regularly informed of all significant developments and, as appropriate, on the continuing viability of the mandate of the Mission;

8. *Decides* to remain seized of the matter.

Adopted unanimously at the 3938th meeting.

Decision

At its 3956th meeting, on 17 December 1998, the Security Council considered the item entitled:

"The situation concerning Western Sahara

"Report of the Secretary-General on the situation concerning Western Sahara (S/1998/1160)".[122]

Resolution 1215 (1998) of 17 December 1998

The Security Council,

Recalling all its previous resolutions on the question of Western Sahara, and reaffirming in particular resolution 1204 (1998) of 30 October 1998,

Welcoming the report of the Secretary-General of 11 December 1998[124] and the observations and recommendations contained therein,

Noting the stated position of the Government of Morocco, and welcoming the formal acceptance by the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro to implement the package of measures contained in paragraph 2 of the report of the Secretary-General, in order to move forward with the implementation of the settlement plan,[111]

1. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara until 31 January 1999 to allow for further consultations in the hope that those consultations will lead to agreement on the various protocols without undermining the integrity of the Secretary-General's proposed package or calling into question its main elements;

2. *Notes*, in this regard, that the implementation of the proposal of Secretary-General to launch simultaneously the identification and appeals processes could clearly demonstrate the willingness of the parties to accelerate the referendum process, in accordance with the wishes they have publicly expressed in recent months;

3. *Calls upon* the parties and the interested States to sign as soon as possible the proposed refugee repatriation protocol with the Office of the United Nations High Commissioner for Refugees, urges the Government of Morocco to formalize the presence of the Office of the High Commissioner in the Territory, and requests both parties to take concrete action to enable the Office of the High Commissioner to carry out the necessary preparatory work for the repatriation of Saharan refugees eligible to vote, and their immediate families, according to the settlement plan;[111]

4. *Urges* the Government of Morocco promptly to sign a status-of-forces agreement with the Secretary-General as an indispensable condition for the full and timely deployment of the Mission-formed military units, and recalls that pending the conclusion of such agreement, the model status-of-forces agreement dated 9 October 1990,[116] as provided for in General Assembly resolution 52/12 B of 19 December 1997, should apply provisionally;

5. *Notes* that the contracts of the majority of the Identification Commission staff will expire by the end of December 1998, and that future extensions will depend on the prospects for resuming the identification work in the immediate future and on the decisions the Council will take concerning the mandate of the Mission;

6. *Requests* the Secretary-General to report to the Council by 22 January 1999 on the implementation of the present resolution and on the progress in the implementation of the settlement plan and the agreements reached between the parties, and further requests him to keep the Council regularly informed of all significant developments including, as appropriate, a reassessment by his Personal Envoy of the continuing viability of the mandate of the Mission;

7. *Decides* to remain seized of the matter.

Adopted unanimously at the 3956th meeting.

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[124] Ibid., document S/1998/1160.

THE SITUATION IN ANGOLA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decision

At its 3850th meeting, on 27 January 1998, the Security Council decided to invite the representatives of Angola, Cape Verde, Mozambique, Namibia and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

> "Report of the Secretary-General on the United Nations Observer Mission in Angola (MONUA) (S/1998/17)".[125]

Resolution 1149 (1998) of 27 January 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Expressing its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Having considered with appreciation the report of the Secretary-General of 12 January 1998,[126]

Welcoming the timetable approved by the Joint Commission on 9 January 1998,[127] according to which the Government of Angola and the União Nacional para a Independência Total de Angola agreed to complete the remaining tasks of the Lusaka Protocol[128] by the end of February 1998,

Recognizing the important role of the United Nations Observer Mission in Angola at this critical stage of the peace process,

1. *Stresses* the urgent need for the Government of Angola and in particular the União Nacional para a Independência Total de Angola to complete, in accordance with the timetable approved by the Joint Commission on 9 January 1998,[127] the implementation of their obligations under the Lusaka Protocol[128] as well as to complete the implementation of their obligations under the "Acordos de Paz"[129] and relevant Security Council resolutions;

2. *Decides* to extend the mandate of United Nations Observer Mission in Angola, including the military task force as outlined in paragraphs 35 and 36 of the report of the Secretary-General of 12 January 1998,[126] until 30 April 1998;

3. *Requests* the Secretary-General to submit no later than 13 March 1998 a comprehensive report, which would also incorporate the report requested in paragraph 7 of resolution 1135 (1997) of 29 October 1997, on the situation in Angola, especially in regard to the implementation of the timetable approved by the Joint Commission, with recommendations regarding the possible reconfiguration before 30 April 1998 of the components of the Mission, referred to in section VII of the report of the Secretary-General of 12 January 1998, as well as preliminary recommendations regarding the United Nations presence in Angola after 30 April 1998;

4. *Stresses* the importance of strengthening the rule of law, including the full protection of all Angolan citizens throughout the national territory;

5. *Requests* the Government of Angola, in cooperation with the Mission, to take appropriate steps, including through its integrated national police and armed forces, to ensure an environment of confidence and safety in which the United Nations and humanitarian personnel may carry out their activities;

6. *Calls upon* the Government of Angola and in particular the União Nacional para a Independência Total de Angola to refrain from any action which might undermine the process of normalization of State administration or lead to renewed tensions;

7. *Demands* that the Government of Angola and in particular the União Nacional para a Independência Total de Angola cooperate fully with the Mission, including by providing full access for its verification activities, and reiterates its call upon the Government of Angola to notify the Mission in a timely manner of its troop movements, in accordance with the provisions of the Lusaka Protocol and established procedures;

8. *Reaffirms its readiness* to review the measures specified in paragraph 4 of resolution 1127 (1997) of 28 August 1997 or to consider the imposition of additional measures in accordance with paragraphs 8 and 9 of resolution 1127 (1997) and on the basis of the report referred to in paragraph 3 above;

9. *Reiterates its belief* that a meeting between the President of the Republic of Angola and the leader of the União Nacional para a Independência Total de Angola could facilitate the process of peace and national reconciliation;

10. *Urges* the international community to provide assistance to facilitate the demobilization and social reintegration of ex-combatants, demining, the resettlement of displaced persons and the rehabilitation and reconstruction of the Angolan economy in order to consolidate the gains in the peace process;

11. *Endorses* the recommendation of the Secretary-General that his Special Representative continue to chair the Joint Commission, as established under the Lusaka Protocol, which has proved to be a vital mechanism for the advancement of the peace process;

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[125] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[126] Ibid., documents S/1998/17 and Add. 1.

[127] Ibid., document S/1998/56, annex.

[128] Ibid., *Forty-ninth Year, Supplement for October, November and December 1994*, document S/1994/1441.

[129] Ibid., *Forty-sixth Year, Supplement for April, May and June 1991*, document S/22609.

12. *Expresses its appreciation* to the Secretary-General, his Special Representative and the personnel of the Mission for assisting the Government of Angola and the União Nacional para a Independência Total de Angola to implement the peace process;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3850th meeting.

Decision

At its 3863rd meeting, on 20 March 1998, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

> "Report of the Secretary-General on the United Nations Observer Mission in Angola (MONUA) (S/1998/236)".[125]

Resolution 1157 (1998)
of 20 March 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Expressing its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Having considered the report of the Secretary-General of 13 March 1998,[130]

Deploring the failure by the União para a Independência Total de Angola to complete the implementation of the remaining tasks of the Lusaka Protocol[128] according to the timetable approved by the Joint Commission on 9 January 1998,[127]

Taking note of the declaration by the União Nacional para a Independência Total de Angola on the complete demilitarization of its forces as of 6 March 1998[131] and of the declaration by the Government of Unity and National Reconciliation on 11 March 1998 legalizing the status of the União Nacional para a Independência Total de Angola as a political party,[131]

1. *Stresses* the urgent need for the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to complete immediately and without conditions the implementation of all remaining obligations under the "Acordos de Paz",[129] the Lusaka Protocol,[128] and relevant Security Council resolutions, and demands that the União Nacional para a Independência Total de Angola stop its pattern of delays and linkages;

2. *Calls upon* the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to complete immediately their obligations in the areas of demobilization of all remaining military elements of the União Nacional para a Independência Total de Angola, normalization of State administration throughout the national territory, transformation of Radio Vorgan into a non-partisan broadcasting facility, as well as disarmament of the civilian population;

3. *Endorses* the planned visit by the Chairman of the Committee established pursuant to resolution 864 (1993) of 15 September 1993 to Angola and other interested countries to discuss the full and effective implementation of the measures specified in paragraph 4 of resolution 1127 (1997) of 28 August 1997 with a view to urging compliance by the União Nacional para a Independência Total de Angola with its obligations under the Lusaka Protocol and relevant Security Council resolutions;

4. *Calls upon* all Member States to implement fully and without delay the measures specified in paragraph 4 of resolution 1127 (1997), reiterates its request that Member States having information on flights and other actions prohibited in paragraph 4 of resolution 1127 (1997) provide this information to the Committee established pursuant to resolution 864 (1993), and requests the Secretary-General to report on those violations by the União Nacional para a Independência Total de Angola and certain Member States in the report referred to in paragraph 8 below;

5. *Reaffirms its readiness* to review the measures specified in paragraph 4 of resolution 1127 (1997) or to consider the imposition of additional measures in accordance with paragraphs 8 and 9 of resolution 1127 (1997);

6. *Endorses* the recommendation of the Secretary-General to resume the gradual downsizing of the military component of the United Nations Observer Mission in Angola before 30 April 1998, with the understanding that the withdrawal of all formed military units, with the exception of one infantry company, the helicopter unit and the signals and medical support units, will be completed as soon as conditions on the ground permit, but no later than 1 July 1998;

7. *Decides* to increase gradually and as needed the number of civilian police observers, giving special emphasis to their language qualifications, by up to eighty-three, to assist the Government of Unity and National Reconciliation and the União Nacional para a Independência Total de Angola to resolve disputes during the normalization of State administration, identify and investigate allegations of abuse, and facilitate the training of the Angolan National Police according to internationally accepted standards, and requests the Secretary-General to keep the *modus operandi* of the civilian police component under review and to report by 17 April 1998 on whether its tasks can be performed on the basis of a more limited increase in the number of personnel or with a reconfiguration of existing personnel;

8. *Takes note* of the recommendations contained in section IX of the report of the Secretary-General of 13 March 1998,[130] and requests the Secretary-General to report by 17 April 1998 on the status of the implementation of the peace process, with final recommendations regarding the modalities of the United Nations presence in Angola after 30 April 1998, including the exit strategy and expected termination date of the Mission and the follow-on activities by the United Nations, after the termination of the Mission, to consolidate the peace

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[130] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/236.

[131] Ibid., para. 5.

process and assist in the social and economic recovery of Angola;

9. *Strongly condemns* the attacks by members of the União Nacional para a Independência Total de Angola on Mission personnel and on Angolan national authorities, and demands that the União Nacional para a Independência Total de Angola immediately stop such attacks, cooperate fully with the Mission and guarantee unconditionally the safety and freedom of movement of Mission and other international personnel;

10. *Calls upon* the Government of Unity and National Reconciliation to continue to give priority to peaceful actions that contribute to the successful conclusion of the peace process and to refrain from any action, including the excessive use of force, which might undermine the process of normalization of State administration or lead to renewed hostilities;

11. *Stresses* the importance of strengthening the rule of law, including the full protection of all Angolan citizens throughout the national territory;

12. *Urges* the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to cooperate fully with the National Institute for the Removal of Unexploded Ordnance and provide information on minefields, and urges the international community to continue to provide assistance to the demining programme;

13. *Reiterates its belief* that a meeting between the President of the Republic of Angola and the leader of the União Nacional para a Independência Total de Angola could accelerate the process of peace and national reconciliation, and urges the leadership of the União Nacional para a Independência Total de Angola to move to Luanda, as agreed upon in the Lusaka Protocol;

14. *Expresses its appreciation* to the Secretary-General, his Special Representative and the personnel of the Mission for assisting the Government of Angola and the União Nacional para a Independência Total de Angola to implement the peace process;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3863rd meeting.

Decisions

On 30 March 1998, the President of the Security Council addressed the following letter to the Secretary-General: [132]

> "I have the honour to inform you that your letter dated 25 March 1998 concerning your intention to appoint Major General Seth Kofi Obeng, of Ghana, as Force Commander/Chief Military Observer of the United Nations Observer Mission in Angola[133] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 3876th meeting, on 29 April 1998, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

> "The situation in Angola
>
> > "Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/333)". [134]

Resolution 1164 (1998) of 29 April 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Expressing its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Having considered the report of the Secretary-General of 16 April 1998, [135]

Welcoming the recent steps by the Government of Unity and National Reconciliation and the União Nacional para a Independência Total de Angola toward completing the remaining tasks of the Lusaka Protocol,[128] including promulgation of the law granting special status to the leader of the União Nacional para a Independência Total de Angola, the appointment of the remaining governors and vice-governors nominated by the União Nacional para a Independência Total de Angola, agreement on a list of ambassadors nominated by the União Nacional para a Independência Total de Angola, cessation of broadcasts by Radio Vorgan and the arrival in Luanda of senior officials of the União Nacional para a Independência Total de Angola to prepare for the establishment of the headquarters of the União Nacional para a Independência Total de Angola in the capital,

1. *Calls upon* the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to complete all remaining obligations under the "Acordos de Paz",[129] the Lusaka Protocol[128] and relevant Security Council resolutions, including the normalization of State administration throughout the national territory as well as disarmament of the civilian population;

2. *Strongly reiterates its demand* that the União Nacional para a Independência Total de Angola stop its pattern of delays and linkages and cooperate immediately and without conditions in completing the normalization of State administration throughout the national territory, including in particular in Andulo and Bailundo;

3. *Takes note* of steps taken by the União Nacional para a Independência Total de Angola regarding some of the obligations set out in paragraphs 2 and 3 of resolution 1127 (1997) of 28 August 1997, and reaffirms its readiness to review the measures specified in paragraph 4 of resolution 1127 (1997) or to consider the imposition of

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[132] S/1998/282.

[133] S/1998/281.

[134] See *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998.*

[135] Ibid., document S/1998/333.

additional measures in accordance with paragraphs 8 and 9 of resolution 1127 (1997);

4. *Strongly condemns* the attacks by members of the União Nacional para a Independência Total de Angola on the personnel of the United Nations Observer Mission in Angola, international personnel and Angolan national authorities, including the police, demands that the União Nacional para a Independência Total de Angola immediately stop such attacks, and urges the Mission to investigate promptly the recent attack in N'gove;

5. *Calls upon* the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to guarantee unconditionally the safety, security and freedom of movement of all United Nations and international personnel;

6. *Also calls upon* the Government of Unity and National Reconciliation to refrain from any action, including the excessive use of force, which might undermine the process of normalization of State administration or lead to renewed hostilities, and encourages the Government to continue to give priority to peaceful actions that contribute to the successful conclusion of the peace process;

7. *Reiterates its belief* that a meeting in Angola between the President of the Republic of Angola and the leader of the União Nacional para a Independência Total de Angola could facilitate the successful conclusion of the peace process and accelerate the process of national reconciliation;

8. *Decides* to extend the mandate of the Mission until 30 June 1998;

9. *Reaffirms* paragraph 6 of resolution 1157(1998) of 20 March 1998, and endorses the recommendation of the Secretary-General to complete the withdrawal of all military personnel, with the exception of one infantry company, the helicopter unit, the signals and medical support units and ninety military observers, no later than 1 July 1998, and in accordance with paragraph 38 of his report of 16 April 1998;[135]

10. *Endorses* the recommendation of the Secretary-General in his report referred to in paragraph 9 above to deploy eighty-three additional civilian police observers, as authorized by resolution 1157 (1998), following consultations with the Government of Unity and National Reconciliation;

11. *Takes note with appreciation* of the recommendations of the Secretary-General contained in section IX of his report regarding the beginning of the drawdown of the military observers and civilian personnel of the Mission and the termination of the Mission, and expresses its intention to take a final decision by 30 June 1998 on the mandate, size and organizational structure of the Mission or a follow-on United Nations presence after that date, based on progress in the peace process and in the light of the report referred to in paragraph 12 below;

12. *Requests* the Secretary-General to submit a report by 17 June 1998 on the status of the peace process, with further recommendations regarding the mandate, size and organizational structure of the Mission or a follow-on United Nations presence after 30 June 1998, and revised estimates of the cost of that United Nations presence;

13. *Expresses its appreciation* to the Chairman of the Committee established pursuant to resolution 864 (1993) who visited Angola and other interested countries and reinforced the need for full and effective implementation of the measures specified in paragraph 4 of resolution 1127 (1997) in order to achieve compliance by the União Nacional para a Independência Total de Angola with its obligations under the Lusaka Protocol and relevant Security Council resolutions;

14. *Calls upon* all Member States to implement fully and without delay the measures specified in paragraph 4 of resolution 1127 (1997), reiterates its request that Member States having information on flights and other actions prohibited in paragraph 4 of resolution 1127 (1997) provide this information to the Committee established pursuant to resolution 864 (1993), and requests the Secretary-General to report on those violations by the União Nacional para a Independência Total de Angola and certain Member States in the report referred to in paragraph 12 above;

15. *Expresses its appreciation* to the Secretary-General, his Special Representative and the personnel of the Mission for assisting the Government of Angola and the União Nacional para a Independência Total de Angola to implement the peace process;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the
3876th meeting

Decisions

At its 3884th meeting, on 22 May 1998, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[136]

> "The Security Council strongly condemns the armed attack in Angola on 19 May 1998 against personnel from the United Nations and the Angolan National Police, in which one person was killed and three people were seriously injured. It demands that the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola guarantee unconditionally the safety and freedom of movement of all United Nations and other international personnel.
>
> "The Council strongly deplores the failure by the União Nacional para a Independência Total de Angola to complete the implementation of its remaining obligations under the 'Acordos de Paz',[129] the Lusaka Protocol[128] and relevant Council resolutions, especially its failure to cooperate in completing the normalization of State administration throughout the national territory, including in particular in Andulo and Bailundo. It also strongly condemns the confirmed attacks by members of the União Nacional para a Independência Total de Angola on the personnel of the United Nations Observer

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[136] S/PRST/1998/14

Mission in Angola, international personnel and Angolan national authorities. The Council expresses its deep concern at the serious abuses committed by the Angolan National Police, particularly in areas recently transferred to State administration, as well as at the recent increase in hostile propaganda. The lack of progress in completing the remaining tasks of the peace process has led to a serious deterioration in the military and security situation in the country. The Council calls upon the Government of Unity and National Reconciliation and the União Nacional para a Independência Total de Angola in the strongest terms to refrain from any action which might lead to renewed hostilities or derail the peace process.

"The Council endorses the plan for the completion of the remaining tasks of the Lusaka Protocol by 31 May 1998 that was submitted by the Special Representative of the Secretary-General to the Joint Commission on 15 May 1998. The Council demands that the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola fulfil their obligations in accordance with this plan. In this context, the Council reaffirms its readiness to review the measures specified in paragraph 4 of resolution 1127 (1997) of 28 August 1997 and to consider the imposition of additional measures in accordance with paragraphs 8 and 9 of resolution 1127 (1997).

"The Council expresses its appreciation to the Secretary-General, his Special Representative, and the personnel of the Mission for their efforts to assist the Government of Unity and National Reconciliation and the União Nacional para a Independência Total de Angola to implement their peace process obligations.

"The Council will remain actively seized of this matter."

At its 3891st meeting, on 12 June 1998, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

Resolution 1173 (1998)
of 12 June 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolution 1127 (1997) of 28 August 1997,

Reaffirming its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Expressing its grave concern at the critical situation in the peace process, which is the result of the failure by the União Nacional para a Independência Total de Angola to implement its obligations under the "Acordos de Paz",[129] the Lusaka Protocol,[128] relevant Security Council resolutions and the plan for the completion by 31 May 1998 of the remaining tasks of the Lusaka Protocol, which was submitted by the Special Representative of the Secretary-General to the Joint Commission on 15 May 1998,

Recalling the statement by its President of 22 May 1998,[136]

Recognizing the steps taken by the Government of Unity and National Reconciliation to fulfil its obligations under the above-mentioned plan to cease the dissemination of hostile propaganda on State-controlled media and to reduce cases of abuse by the Angolan National Police,

Taking note of the statement of 2 June 1998 issued by the Mission regarding the continued existence of non-demobilized forces of the União Nacional para a Independência Total de Angola,[137]

A

1. *Condemns* the União Nacional para a Independência Total de Angola, and holds its leadership responsible, for its failure to implement fully its obligations contained in the Lusaka Protocol,[128] relevant Security Council resolutions, in particular resolution 1127 (1997), and the plan submitted by the Special Representative of the Secretary-General to the Joint Commission;

2. *Demands* that the União Nacional para a Independência Total de Angola fully cooperate without conditions in the immediate extension of State administration throughout the national territory, including in particular in Andulo, Bailundo, Mungo and Nharea, and stop any attempts to reverse this process;

3. *Reiterates its demand* that the União Nacional para a Independência Total de Angola complete its demilitarization and stop any attempts to restore its military capabilities;

4. *Demands* that the União Nacional para a Independência Total de Angola cooperate fully with the United Nations Observer Mission in Angola in the verification of its demilitarization;

5. *Demands also* that the União Nacional para a Independência Total de Angola stop any attacks by its members on the personnel of the Mission, international personnel, the authorities of the Government of Unity and National Reconciliation, including the police, and the civilian population;

6. *Urges* the Government of Unity and National Reconciliation to continue to refrain from any action, including the excessive use of force, which might undermine the process of normalization of State administration, encourages the Government to make use of the personnel of the União Nacional para a Independência Total de Angola, as appropriate and in accordance with the provisions of the Lusaka Protocol, in areas to which State administration is extended, and also encourages the Government to continue to give priority to peaceful actions that contribute to the successful conclusion of the peace process;

7. *Calls upon* the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to avoid taking any action which might lead to renewed hostilities or undermine the peace process;

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[137] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/503, annex.

8. *Stresses* the importance of strengthening the rule of law, including the full protection of all Angolan citizens throughout the national territory;

9. *Calls upon* the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to guarantee unconditionally the safety, security and freedom of movement of all United Nations and international personnel;

10. *Requests* the Secretary-General to redeploy Mission personnel immediately and, as appropriate, to support and facilitate the extension of State administration throughout the national territory, including in particular in Andulo, Bailundo, Mungo and Nharea, and calls upon the União Nacional para a Independência Total de Angola to cooperate fully in this regard;

B

Recalling paragraph 9 of resolution 1127 (1997),

Determining that the current situation in Angola constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

11. *Decides* that all States, except Angola, in which there are funds and financial resources, including any funds derived or generated from property of the União Nacional para a Independência Total de Angola as an organization or of senior officials of the União Nacional para a Independência Total de Angola or adult members of their immediate families designated pursuant to paragraph 11 of resolution 1127 (1997), shall require all persons and entities within their own territories holding such funds and financial resources to freeze them and ensure that they are not made available directly or indirectly to or for the benefit of the União Nacional para a Independência Total de Angola as an organization or of senior officials of the União Nacional para a Independência Total de Angola or adult members of their immediate families designated pursuant to paragraph 11 of resolution 1127 (1997);

12. *Decides also* that all States shall take the necessary measures:

(*a*) To prevent all official contacts with the leadership of the União Nacional para a Independência Total de Angola in areas of Angola to which State administration has not been extended, except for those by representatives of the Government of Unity and National Reconciliation, of the United Nations and of the Observer States to the Lusaka Protocol;

(*b*) To prohibit the direct or indirect import from Angola to their territory of all diamonds that are not controlled through the Certificate-of-Origin regime of the Government of Unity and National Reconciliation;

(*c*) To prohibit, upon notification by the Chairman of the Committee established pursuant to resolution 864 (1993) of 15 September 1993 of all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of equipment used in mining or mining services;

(*d*) To prohibit, upon notification by the Chairman of the Committee established pursuant to resolution 864 (1993)of 15 September 1993 of all Member States of guidelines approved by that Committee, the sale or supply to persons or entities in areas of Angola to which State administration has not been extended, by their nationals or from their territory, or using their flag vessels or aircraft, of motorized vehicles or watercraft or spare parts for such vehicles, or ground or waterborne transportation services;

13. *Decides further* that the Committee established pursuant to resolution 864 (1993) may authorize, on a case-by-case basis, upon a no-objection procedure, exemptions to the measures specified in paragraphs 11 and 12 above for verified medical and humanitarian purposes;

14. *Decides* that the measures specified in paragraphs 11 and 12 above shall come into force without further notice at 0001 hours eastern daylight time on 25 June 1998, unless the Security Council decides, on the basis of a report by the Secretary-General, that the União Nacional para a Independência Total de Angola has fully complied by 23 June 1998 with all its obligations under paragraph 2 above;

15. *Expresses its readiness* to review the measures specified in paragraphs 11 and 12 above and in paragraph 4 of resolution 1127 (1997) and terminate them, if the Secretary-General reports at any time that the União Nacional para a Independência Total de Angola has fully complied with all its relevant obligations;

16. *Expresses its readiness also* to consider the imposition of further additional measures if the União Nacional para a Independência Total de Angola does not fully comply with its obligations under the "Acordos de Paz",[129] the Lusaka Protocol and relevant Security Council resolutions;

17. *Calls upon* all States and all international and regional organizations to act strictly in accordance with the provisions of the present resolution, notwithstanding the existence of any rights or obligations conferred or imposed by any international agreement or any contract entered into or any licence or permit granted prior to the date of adoption of the present resolution;

18. *Also calls upon* all States to implement strictly the measures imposed in paragraphs 19 to 21 of resolution 864 (1993) and paragraph 4 of resolution 1127 (1997), as well as to comply with paragraph 6 of resolution 1127 (1997);

C

19. *Requests* the Government of Unity and National Reconciliation to designate, and to notify to the Committee established pursuant to resolution 864 (1993), the areas of Angola to which State administration has not been extended;

20. Requests the Committee established pursuant to resolution 864 (1993):

(*a*) To draw up guidelines expeditiously for the implementation of paragraphs 11 and 12 above and to consider ways and means for further strengthening the effectiveness of the measures adopted by the Council in its previous resolutions;

(*b*) To report to the Council by 31 July 1998 regarding the actions taken by States to implement the measures specified in paragraphs 11 and 12 above;

21. *Requests* Member States to provide to the Committee established pursuant to resolution 864 (1993), no later than 15 July 1998, information on the measures they have adopted to implement the provisions of paragraphs 11 and 12 above;

22. *Also requests* Member States having information about any violations of the provisions of the present resolution to provide this information to the Committee established pursuant to resolution 864 (1993) for distribution to Member States;

23. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3891st meeting.

Decision

At its 3894th meeting, on 24 June 1998, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Letter dated 24 June 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/566)".[134]

Resolution 1176 (1998)
of 24 June 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolution 1173 (1998) of 12 June 1998,

Taking note of the letter dated 24 June 1998 from the Secretary-General to the President of the Security Council,[138]

Determining that the current situation in Angola constitutes a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands* that the União Nacional para a Independência Total de Angola comply fully and unconditionally with the obligations referred to in resolution 1173 (1998);

2. *Decides* that, notwithstanding paragraph 14 of resolution 1173 (1998), the measures specified in paragraphs 11 and 12 of resolution 1173 (1998) shall come into force without further notice at 0001 hours eastern daylight time on 1 July 1998, unless the Security Council decides, on the basis of a report by the Secretary-General, that the União Nacional para a Independência Total de Angola has fully complied with all its obligations under paragraph 2 of resolution 1173 (1998);

3. *Requests* the Committee established pursuant to resolution 864 (1993), notwithstanding paragraph 20 (*b*) of resolution 1173 (1998), to report to the Council by 7 August 1998 regarding the actions taken by States to implement the measures specified in paragraphs 11 and 12 of resolution 1173 (1998);

4. *Requests* Member States, notwithstanding paragraph 21 of resolution 1173 (1998), to provide to the Committee established pursuant to resolution 864 (1993), no later than 22 July 1998, information on the measures they have adopted to implement the provisions of paragraphs 11 and 12 of resolution 1173 (1998);

5. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3894th meeting.

Decision

At its 3899th meeting, on 29 June 1998, the Security Council decided to invite the representatives of Angola and Mali to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/524)".[134]

Resolution 1180 (1998)
of 29 June 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolution 1173 (1998) of 12 June 1998 and resolution 1176 (1998) of 24 June 1998,

Reaffirming its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Having considered the report of the Secretary-General of 17 June 1998,[139]

Expressing concern in the strongest terms at the critical situation in the peace process, which is the result of the failure by the União Nacional para a Independência Total de Angola to complete its obligations under the "Acordos de Paz",[127] the Lusaka Protocol,[128] and relevant Security Council resolutions, including in particular its obligation to cooperate fully and without conditions in the immediate extension of State administration throughout the national territory,

Expressing its grave concern at the deterioration of the security situation in Angola as a result of the reoccupation by the União Nacional para a Independência Total de Angola of localities where State administration was recently established, attacks by armed elements of the União Nacional para a Independência Total de Angola, new minelaying activity, and banditry,

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[138] Ibid., document S/1998/566.

[139] Ibid., document S/1998/524.

Noting with deep concern cases of serious abuse by some elements of the Angolan National Police, and stressing the importance of strengthening the rule of law, including the full protection of all Angolan citizens throughout the national territory,

Recognizing the important role of the United Nations Observer Mission in Angola at this critical stage of the peace process,

1. *Welcomes* the recommendations of the Secretary-General in paragraph 44 of his report of 17 June 1998,[139] and decides to extend the mandate of the United Nations Observer Mission in Angola until 15 August 1998;

2. *Decides* to resume the withdrawal of the military component of the Mission in accordance with paragraph 9 of resolution 1164 (1998) of 29 April 1998 as soon as conditions permit;

3. *Requests* the Secretary-General to reconsider the deployment of the additional civilian police observers authorized under paragraph 10 of resolution 1164 (1998), taking into account conditions on the ground and progress in the peace process;

4. *Also requests* the Secretary-General to submit a report, as necessary, but no later than 7 August 1998, with recommendations regarding the involvement of the United Nations in Angola, taking into account the safety and freedom of movement of Mission personnel and the status of the peace process;

5. *Reiterates its demand* that the União Nacional para a Independência Total de Angola immediately stop any attacks by its members on Mission personnel, international personnel, the authorities of the Government of Unity and National Reconciliation, including the police, and the civilian population, and calls again upon the Government and in particular the União Nacional para a Independência Total de Angola to guarantee unconditionally the safety and freedom of movement of all United Nations and international personnel;

6. *Demands* that the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola cooperate fully with the Mission in providing full access for its verification activities, including the verification of the full demilitarization of the União Nacional para a Independência Total de Angola, and reiterates its call upon the Government to notify the Mission in a timely manner of its troop movements, in accordance with the provisions of the Lusaka Protocol[128] and established procedures;

7. *Calls upon* the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola to refrain from the laying of new mines;

8. *Expresses its appreciation* to the Secretary-General, his Special Representative and the personnel of the Mission for assisting the Government of Unity and National Reconciliation and the União Nacional para a Independência Total de Angola to implement the peace process;

9. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3899th meeting.

Decisions

On 7 August 1998, the President of the Security Council addressed the following letter to the Secretary-General:[140]

> "I have the honour to inform you that your letter dated 7 August 1998 concerning your intention to appoint Mr. Issa B. Y. Diallo, of Guinea, as your Special Representative for Angola[141] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 3916th meeting, on 13 August 1998, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

> "The situation in Angola
>
> > "Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/723)".[142]

Resolution 1190 (1998)
of 13 August 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, including resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998,

Reaffirming also its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Strongly deploring the deteriorating political and security situation in Angola, which is primarily the result of the failure by the União Nacional para a Independência Total de Angola to complete its obligations under the "Acordos de Paz",[127] the Lusaka Protocol[128] and relevant Security Council resolutions,

Taking note of recent positive steps to restore confidence in the peace process,

Having considered the report of the Secretary-General of 6 August 1998,[143]

1. *Welcomes* the decision by the Secretary-General to dispatch a Special Envoy to assess the situation in Angola and advise on a possible course of action, and requests the

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[140] S/1998/731.

[141] S/1998/730.

[142] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998.*

[143] Ibid., document S/1998/723.

Secretary-General to submit, no later than 31 August 1998, a report with recommendations regarding the future role of the United Nations in Angola;

2. *Expresses its intention* to review the recommendations referred to in paragraph 1 above and to consider appropriate actions;

3. *Decides* to extend the mandate of the United Nations Observer Mission in Angola until 15 September 1998, and takes note of the considerations specified in paragraph 38 of the report of the Secretary-General of 6 August 1998[143] regarding the deployment of the Mission throughout the country;

4. *Calls* upon the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola in the strongest terms to refrain from any steps which could further exacerbate the present situation;

5. *Demands* that the União Nacional para a Independência Total de Angola comply immediately and without conditions with its obligations under the Lusaka Protocol[128] and with relevant Security Council resolutions, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the national territory, in order to prevent a further deterioration of the political and security situation;

6. *Demands also* that the União Nacional para a Independência Total de Angola cease its reoccupation of localities where State administration was established and stop attacks by its members on civilians, authorities of the Government of Unity and National Reconciliation, including the police, and United Nations and international personnel;

7. *Calls upon* the Government of Unity and National Reconciliation and the União Nacional para a Independência Total de Angola to cease hostile propaganda, refrain from laying new mines, stop forced conscriptions and renew efforts towards national reconciliation, including by implementing confidence-building measures, such as the reactivation of the joint mechanisms in the provinces and the disengagement of military forces on the ground;

8. *Calls upon* the Government of Unity and National Reconciliation to ensure that the Angolan National Police refrain from practices inconsistent with the Lusaka Protocol and to respect the legal activities of the União Nacional para a Independência Total de Angola as a political party in accordance with the Lusaka Protocol;

9. *Demands* that the Government of Unity and National Reconciliation and in particular the União Nacional para a Independência Total de Angola cooperate fully with the Mission in providing full access for its verification activities and guarantee unconditionally the safety and freedom of movement of all United Nations and international personnel, including those providing humanitarian assistance;

10. *Expresses its firm belief* that a meeting in Angola between the President of the Republic of Angola and the leader of the União Nacional para a Independência Total de Angola could provide momentum to the peace process;

11. *Calls upon* Member States to implement fully the relevant provisions of resolutions 864 (1993), 1127 (1997) and 1173 (1998);

12. *Welcomes* the appointment of a new Special Representative to Angola, and urges the Government of Unity and National Reconciliation and the União Nacional para a Independência Total de Angola to cooperate fully with him in promoting peace and national reconciliation;

13. *Encourages* the Secretary-General to continue his personal engagement in the peace process;

14. *Expresses its appreciation* to the personnel of the Mission;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3916th meeting.

Decision

At its 3925th meeting, on 15 September 1998, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

> "Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/838)".[142]

Resolution 1195 (1998) of 15 September 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Reaffirming its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Taking note of the letter dated 10 September 1998 from the President of the Republic of Angola to the Secretary-General[144]

Having considered the report of the Secretary-General of 7 September 1998,[145]

1. *Emphasizes* that the primary cause of the crisis in Angola and of the current impasse in the peace process is the failure by the leadership of the União Nacional para a Independência Total de Angola to comply with its obligations under the "Acordos de Paz",[120] the Lusaka Protocol[128] and relevant Security Council resolutions, and demands that the União Nacional para a Independência Total de Angola comply immediately and without conditions with its obligations, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the national territory;

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[144] Ibid., document S/1998/847, annex.

[145] Ibid., document S/1998/838.

2. *Demands* that the União Nacional para a Independência Total de Angola withdraw immediately from territories it has occupied through military action;

3. *Reiterates its full support* for the implementation of the Lusaka Protocol;

4. *Demands* that the União Nacional para a Independência Total de Angola transform itself into a genuine political party through the dismantling of its military structure, and, in the context of the full implementation of the Lusaka Protocol, strongly urges the Angolan authorities to reconsider their decision to suspend the participation of members of the União Nacional para a Independência Total de Angola in the Government of Unity and National Reconciliation and in the National Assembly;

5. *Calls upon* Member States to implement fully the relevant provisions of resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998;

6. *Strongly urges* the Government of Angola, the União Nacional para a Independência Total de Angola and States in the region to reject military action, to pursue dialogue to resolve the crisis and to refrain from any steps which could exacerbate the current situation;

7. *Reiterates its support* to the Secretary-General for his personal engagement in the peace process, and urges the Government of Angola and the União Nacional para a Independência Total de Angola to cooperate fully with the Special Representative of the Secretary-General and with other relevant initiatives by Member States to seek a peaceful resolution of the crisis;

8. *Decides* to extend the mandate of the United Nations Observer Mission in Angola until 15 October 1998 and to assess the overall situation and take action on the future role of the United Nations in Angola on the basis of a report and recommendations to be submitted by the Secretary-General no later than 8 October 1998;

9. *Endorses* the decision of the Secretary-General to instruct the Mission to adjust its deployment on the ground, as needed, to ensure the safety and security of Mission personnel, and demands that the Government of Angola and in particular the União Nacional para a Independência Total de Angola guarantee unconditionally the safety and freedom of movement of the Special Representative of the Secretary-General and all United Nations and international humanitarian personnel, including those providing humanitarian assistance;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the
3925th meeting.

Decision

At its 3936th meeting, on 15 October 1998, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

"Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/931)".[146]

Resolution 1202 (1998)
of 15 October 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions,

Reaffirming its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Reiterating the validity of the "Acordos de Paz",[129] the Lusaka Protocol[128] and relevant Security Council resolutions as the fundamental basis of the peace process,

Reaffirming its resolution 1196 (1998) of 16 September 1998,

Taking note of the statement by the Ministers for Foreign Affairs of the three Observer States to the Lusaka Protocol and of their letter dated 24 September 1998 to the leader of the União Nacional para a Independência Total de Angola,[147]

Welcoming regional efforts in support of the peace process in Angola,

Noting the call on the international community, particularly countries and leaders who have an influence on the leader of the União Nacional para a Independência Total de Angola, to persuade the rebel movement to rededicate itself to the path of peace and reconstruction in Angola as a matter of urgency, that was contained in the Final Communiqué of the Summit of the Heads of State or Government of the Southern African Development Community adopted on 14 September 1998,[148]

Taking note of the establishment of UNITA-Renovada,

Having considered the report of the Secretary-General of 8 October 1998,[149]

1. *Reiterates* that the primary cause of the crisis in Angola and of the current impasse in the peace process is the failure by the leadership of the União Nacional para a Independência Total de Angola to comply with its obligations under the "Acordos de Paz",[129] the Lusaka Protocol[128] and relevant Security Council resolutions, and demands that the União Nacional para a Independência Total de Angola comply immediately and without conditions with its obligations, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the national territory;

2. *Demands* that the União Nacional para a Independência Total de Angola withdraw immediately from territories it has reoccupied through military action;

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[146] Ibid., *Supplement for October, November and December 1998*.

[147] Ibid., document S/1998/916, annexes I and II.

[148] Ibid., document S/1998/915, annex I.

[149] Ibid., document S/1998/931.

3. *Stresses* that there can be no military solution to the conflict in Angola, and calls upon the Government of Angola and in particular the União Nacional para a Independência Total de Angola to seek a political settlement;

4. *Decides* to extend the mandate of the United Nations Observer Mission in Angola until 3 December 1998;

5. *Requests* the Secretary-General to continue to adjust the deployment and force structure of the Mission, as needed, in accordance with security conditions and its ability to implement its mandate in support of the peace process, and to prepare further contingency plans;

6. *Emphasizes* that the extension of the mandate of the Mission provides the Special Representative of the Secretary-General with an additional opportunity to revive the stalled peace process, and strongly urges the União Nacional para a Independência Total de Angola to take advantage of this period to transform itself into a genuine political party and to secure a legitimate and constructive role in the Angolan political process;

7. *Reiterates its full support* for the implementation of the Lusaka Protocol and for the reactivation of the Joint Commission;

8. *Calls upon* the Government of Angola and the União Nacional para a Independência Total de Angola to cooperate fully with the Special Representative of the Secretary-General, including by facilitating his contacts with all those key to the peace process in order to convey, *inter alia*, the demands reiterated in the present resolution;

9. *Encourages* the Special Representative of the Secretary-General to coordinate his efforts with regional and subregional organizations in order to bring about a solution within the framework of the Lusaka Protocol;

10. *Reiterates its concern* over the safety and security of Mission personnel, and demands that the Government of Angola and the União Nacional para a Independência Total de Angola guarantee unconditionally the safety and freedom of movement of the Special Representative of the Secretary-General and all United Nations and international humanitarian personnel, including those providing humanitarian assistance, throughout the territory of Angola;

11. *Stresses* the importance of strengthening the rule of law and respect for human rights, including the full protection of all Angolan citizens throughout the national territory, in particular representatives and members of all political parties;

12. *Expresses its deep concern* at the continued deterioration of the humanitarian situation, especially the significant increase in the number of internally displaced persons, which now totals 1.3 million people, and the lack of access by humanitarian organizations to vulnerable groups;

13. *Calls upon* Member States to implement fully the measures imposed on the União Nacional para a Independência Total de Angola contained in the relevant provisions of resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998, and expresses its readiness to consider appropriate reinforcing steps;

14. *Requests* the Chairman of the Committee established pursuant to resolution 864 (1993) to investigate reports that the leader of the União Nacional para a Independência Total de Angola travelled outside Angola in violation of resolution 1127 (1997) and that forces of the União Nacional para a Independência Total de Angola received military training and assistance as well as arms from outside Angola in violation of resolution 864 (1993);

15. *Requests* the Secretary-General to submit a comprehensive report no later than 23 November 1998 which will enable the Security Council to consider the future role of the United Nations in Angola and to make recommendations regarding ways of improving the implementation of the measures referred to in paragraph 13 above;

16. *Expresses its deep concern* at the crash of the Russian civilian aircraft in the Malanje region of Angola, which resulted in the loss of human lives, calls upon the Government of Angola to carry out without delay a thorough investigation of the causes of the crash, requests the Mission to assist as appropriate, and insists that the União Nacional para a Independência Total de Angola cooperate fully with these efforts;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the
3936th meeting.

Decision

At its 3951st meeting, on 3 December 1998, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled:

"The situation in Angola

> "Report of the Secretary-General on the United Nations Observer Mission in Angola (S/1998/1110)".[146]

Resolution 1213 (1998) of 3 December 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998,

Reaffirming its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola,

Emphasizing the validity of the "Acordos de Paz",[129] the Lusaka Protocol[128] and relevant Security Council resolutions as the fundamental basis of the peace process,

Strongly condemning the failure of the União Nacional para a Independência Total de Angola to implement the remaining tasks of the Lusaka Protocol, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the national territory,

Expressing its deep concern at the failure of the leader of the União Nacional para a Independência Total de Angola to respond to the letter dated 6 October 1998 addressed to him by the Special Representative of the Secretary-General, which contained proposals for restoring the peace process, and to the letter dated 24 September 1998 addressed to him by the Ministers for Foreign Affairs of the three Observer States to the Lusaka Protocol, which called for irreversible steps towards peace,[150]

Expressing its grave concern at the serious humanitarian impact of the impasse in the peace process and the deteriorating security conditions,

Having considered the report of the Secretary-General of 23 November 1998,[151]

1. *Emphasizes* that the primary cause of the crisis in Angola and of the current impasse in the peace process is the failure by the leadership of the União Nacional para a Independência Total de Angola in Bailundo to comply with its obligations under the "Acordos de Paz",[129] the Lusaka Protocol[128] and relevant Security Council resolutions, and demands that the União Nacional para a Independência Total de Angola comply immediately and without conditions with its obligations, in particular the complete demilitarization of its forces and full cooperation in the immediate and unconditional extension of State administration throughout the national territory;

2. *Demands* that the União Nacional para a Independência Total de Angola withdraw immediately from territories it has reoccupied through military or other action;

3. *Calls upon* the leadership of the União Nacional para a Independência Total de Angola to cooperate fully and immediately with the United Nations Observer Mission in Angola in the withdrawal of Mission personnel from Andulo and Bailundo, and holds the leadership of the União Nacional para a Independência Total de Angola in Bailundo responsible for their safety and security;

4. *Stresses* that there can be no military solution to the conflict in Angola, and calls upon the Government of Angola and the União Nacional para a Independência Total de Angola to cooperate fully with the Special Representative of the Secretary-General, including by facilitating his contacts with all those key to the implementation of the Lusaka Protocol, to seek a peaceful resolution of the crisis;

5. *Emphasizes* the importance of the Special Representative of the Secretary-General maintaining contact with all elements of the União Nacional para a Independência Total de Angola in Luanda in order to revive the stalled peace process and encourage the transformation of the União Nacional para a Independência Total de Angola into a genuine political party;

6. *Stresses* the importance of strengthening the rule of law and respect for human rights, including the full protection of all Angolan citizens throughout the national territory, in particular representatives and members of all political parties;

7. *Reiterates its concern* at the continued deterioration of the humanitarian situation, especially the significant increase in the number of internally displaced persons and the increase in minelaying activity, and calls upon the Government of Angola and in particular the União Nacional para a Independência Total de Angola to guarantee unconditionally the safety and freedom of movement of all international humanitarian personnel, to cooperate fully with international humanitarian organizations in the delivery of emergency relief assistance to affected populations, to cease minelaying activity, and to respect international humanitarian, refugee and human rights law;

8. *Urges* the international community to provide financial and other resources in order to allow the continued delivery of emergency relief assistance to vulnerable groups in Angola;

9. *Urges* all Member States to support the peace process in Angola through full and immediate implementation of the measures against the União Nacional para a Independência Total de Angola contained in resolutions 864 (1993), 1127 (1997) and 1173 (1998), and expresses its readiness to consider appropriate reinforcing steps in accordance with the recommendations contained in the report referred to in paragraph 13 below;

10. *Decides* to extend the mandate of the Mission until 26 February 1999, and endorses the recommendation contained in the report of the Secretary-General to continue to adjust the deployment and force structure of the Mission, as needed, in accordance with security conditions and its ability to implement its mandate;

11. *Recognizes* that the Secretary-General may revert to the Council before 26 February 1999 with further recommendations regarding the Mission in the light of security conditions on the ground;

12. *Expresses its growing concern* for the security and freedom of movement throughout Angola of Mission personnel, and calls upon the Government of Angola and in particular the União Nacional para a Independência Total de Angola to ensure their safety;

13. *Requests* the Secretary-General to submit a report no later than 15 January 1999 regarding the status of the peace process, the future role and mandate of the United Nations in Angola and the force structure of the Mission in the light of its ability to carry out its mandated tasks, and reiterates the request contained in its resolution 1202 (1998) of 15 October 1998 for recommendations regarding technical and other ways for Member States to improve the implementation of the measures referred to in paragraph 9 above;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3951st meeting.

Decisions

At its 3960th meeting, on 23 December 1998, the Security Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

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[150] Ibid., document S/1998/916, annex II.

[151] Ibid., document S/1998/1110.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[152]

"The Security Council deplores the serious deterioration of the situation in Angola and calls for an immediate cessation of hostilities. It reaffirms its firm commitment to preserve the unity, sovereignty and territorial integrity of Angola.

"The Council reiterates that the primary responsibility for the failure to achieve peace in Angola clearly lies with the leadership of the União Nacional para a Independência Total de Angola. The persistent violation by the União Nacional para a Independência Total de Angola, under the leadership of Mr. Jonas Savimbi, of its obligations under the "Acordos de Paz",[128] the Lusaka Protocol[129] and relevant Security Council resolutions, in particular those obligations related to the complete demilitarization of its forces and the extension of State administration throughout the national territory, has seriously undermined the peace process.

"The Council demands that the União Nacional para a Independência Total de Angola comply immediately and without conditions with its obligations and reiterates that only a political settlement, on the basis of the relevant agreements and resolutions, will bring a lasting peace to Angola.

"The Council, in this context, urges the Government of Angola and the União Nacional para a Independência Total de Angola to cooperate fully with the Special Representative of the Secretary-General, including by facilitating his contacts with all those key to reviving the stalled peace process and to implementing the Lusaka Protocol. It expresses concern at the public statements blaming the United Nations for the recent aggravation of the security situation in the country. The Council reiterates its full support for the United Nations Observer Mission in Angola, whose mandate has been extended until 26 February 1999, and emphasizes that both the Government, which concurred with the extension of this mandate, and the União Nacional para a Independência Total de Angola have an obligation to guarantee the safety and freedom of movement of Mission personnel.

"The Council expresses its deep concern at the worsening humanitarian situation in Angola and emphasizes the responsibility of the Government of Angola and the leadership of the União Nacional para a Independência Total de Angola to facilitate humanitarian assistance efforts, guarantee the safety and freedom of movement of humanitarian workers and permit an independent assessment of the needs of the civilian population, to be carried out swiftly in any part of the country as necessary. The Council also expresses concern at the plight of those most vulnerable groups, such as children, women, the elderly and internally displaced persons who are particularly at risk and need special protection.

"The Council urges the Government of Angola and the leadership of the União Nacional para a Independência Total de Angola to ensure full respect for international humanitarian, refugee and human rights law.

"The Council underscores the need for the full and immediate implementation of the measures against the União Nacional para a Independência Total de Angola contained in resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998. It expresses deep concern at recent reports of violations of those measures, particularly those related to arms and diamonds, and expresses its intention to follow up on those reports.

"The Council expresses its grave concern at reports that aircraft were shot down over areas controlled by União Nacional para a Independência Total de Angola and demands full cooperation by all concerned, especially the União Nacional para a Independência Total de Angola, in the investigation of those incidents, including of the fate of the crews and passengers.

"The Council will remain actively seized of the matter."

At its 3962nd meeting, on 31 December 1998, the Council decided to invite the representative of Angola to participate, without vote, in the discussion of the item entitled "The situation in Angola".

Resolution 1219 (1998)
of 31 December 1998

The Security Council,

Reaffirming its resolution 696 (1991) of 30 May 1991 and all subsequent relevant resolutions, in particular resolutions 1202 (1998) of 15 October 1998 and 1213 (1998) of 3 December 1998,

Recalling the statement by its President of 23 December 1998,[152]

Expressing concern in the strongest terms at the crash of United Nations flight 806 and at the disappearance of other aircraft reportedly over territory controlled by the União Nacional para a Independência Total de Angola,

1. *Expresses its deep concern* regarding the fate of the passengers and crew of United Nations flight 806, and deplores the incomprehensible lack of cooperation in clarifying the circumstances of this tragedy and in permitting the prompt dispatch of a United Nations search and rescue mission;

2. *Demands* that the leader of the União Nacional para a Independência Total de Angola, Mr. Jonas Savimbi, immediately respond to the appeals from the United Nations and guarantee the security and access necessary for, and assist in, the search for and rescue of possible survivors of the above-mentioned incidents in territory controlled by the União Nacional para a Independência Total de Angola, and calls upon the Government of Angola to cooperate as appropriate in fulfilment of its expressed commitment to do so;

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[152] S/PRST/1998/37.

3. *Expresses its serious concern* at the increase in incidents involving the disappearance of aircraft reportedly over territory controlled by the União Nacional para a Independência Total de Angola;

4. *Condemns* the lack of effective action to determine the fate of the crews and passengers of the aircraft referred to in paragraph 3 above, calls for an immediate and objective international investigation of those incidents, and calls upon all concerned, especially the União Nacional para a Independência Total de Angola, to facilitate such an investigation;

5. *Expresses its intention* to assess compliance with the present resolution no later than 11 January 1999 and to take action, as appropriate, in accordance with the relevant provisions of the Charter of the United Nations;

6. *Reaffirms* the need for compliance with the measures against the União Nacional para a Independência Total de Angola contained in resolutions 864 (1993) of 15 September 1993, 1127 (1997) of 28 August 1997 and 1173 (1998) of 12 June 1998, which were imposed under Chapter VII of the Charter;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at
the 3962nd meeting.

THE SITUATION IN GEORGIA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decision

At its 3851st meeting, on 30 January 1998, the Security Council decided to invite the representatives of Georgia and Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1998/51)".[153]

Resolution 1150 (1998) of 30 January 1998

The Security Council,

Recalling all its relevant resolutions, reaffirming in particular resolution 1124 (1997) of 31 July 1997, and recalling the statement by its President of 6 November 1997,[154]

Having considered the report of the Secretary-General of 19 January 1998,[155]

Supporting the vigorous efforts to move the peace process forward made by the Secretary-General and his Special Representative aimed at achieving a comprehensive political settlement of the conflict, including on the political status of Abkhazia within the State of Georgia, respecting fully the sovereignty and territorial integrity of Georgia, with the assistance of the Russian Federation as facilitator, as well as of the Group of Friends of the Secretary-General and of the Organization for Security and Cooperation in Europe,

Stressing in this context the importance of the concluding statement adopted in Geneva on 19 November 1997 in which both sides welcomed, *inter alia*, the proposals of the Secretary-General to strengthen the involvement of the United Nations in the peace process, approved a programme of action and set up a mechanism for its implementation,

Reaffirming the necessity for the parties strictly to respect human rights, expressing its support for the efforts of the Secretary-General to find ways to improve their observance as an integral part of the work towards a comprehensive political settlement, and noting developments in the work of the United Nations Human Rights Office in Abkhazia, Georgia,

Deeply concerned at the continuing unsettled and tense security situation in the Gali region, characterized by the laying of mines, by a rising number of criminal activities, including kidnapping and murder, and, most seriously, by significantly increased subversive activities by armed groups which disrupt the peace process and impede a settlement of the conflict and the return of refugees, and at the resulting lack of safety and security for the local population, for the refugees and displaced persons returning to the region, for aid workers and for the personnel of the United Nations Observer Mission in Georgia and of the collective peacekeeping force of the Commonwealth of Independent States,

Welcoming in this context the contribution that the collective peacekeeping force and the Mission have made to stabilizing the situation in the zone of conflict, noting that the cooperation between the Mission and the collective peacekeeping force is good and has continued to develop, and stressing the importance of continued close cooperation and coordination between them in the performance of their respective mandates,

1. *Welcomes* the report of the Secretary-General of 19 January 1998;[155]

2. *Notes with satisfaction* that much groundwork has now been laid towards achieving substantive progress in the peace process, but reiterates its deep concern that, as yet, no significant progress has been made on the key issues in the settlement of the conflict in Abkhazia, Georgia;

3. *Commends* the parties for the constructive approach shown at the meeting held in Geneva from 17 to 19 November

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[153] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[154] S/PRST/1997/50.

[155] *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/51.

1997, welcomes in this context the establishment and the first meetings of the Coordinating Council and, within its framework, of working groups, under the chairmanship of the Special Representative of the Secretary-General, and stresses the importance of the effective working of these bodies in order to help progress towards a settlement;

4. *Emphasizes* the fact that the primary responsibility for reinvigorating the peace process rests upon the parties themselves, and reminds them that the ability of the international community to assist them depends on their political will to resolve the conflict through dialogue and mutual accommodation and on their taking real steps towards bringing about a comprehensive political settlement of the conflict through the speediest possible agreement on and signature of the relevant documents;

5. *Reaffirms* the particular importance it attaches to the more active role for the United Nations in the peace process, encourages the Secretary-General and his Special Representative to continue their efforts, with the assistance of the Russian Federation as facilitator, and with the support of the Group of Friends of the Secretary-General and the Organization for Security and Cooperation in Europe, and calls upon the parties to work constructively with them to achieve a comprehensive settlement;

6. *Encourages* the continuation of direct dialogue between the parties, calls upon them to intensify the search for a peaceful solution by further expanding their contacts, and requests the Secretary-General to make available all appropriate support if so requested by the parties;

7. *Recalls* the conclusions of the Lisbon summit of the Organization for Security and Cooperation in Europe regarding the situation in Abkhazia, Georgia,[156] reaffirms the unacceptability of the demographic changes resulting from the conflict and the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons, of 4 April 1994,[157] encourages the Secretary-General to take such steps as are necessary, in cooperation with the parties, to ensure a prompt and safe return of the refugees and displaced persons to their homes, and stresses the urgent need for progress in this area, in particular from the Abkhaz side;

8. *Calls upon* the parties to ensure the full implementation of the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994;[158]

9. *Condemns* the intensified activities by armed groups, including the continued laying of mines, in the Gali region, and calls upon the parties to honour fully their commitments to take all measures in their power and to coordinate their efforts to prevent such activities, and to cooperate fully with the United Nations Observer Mission in Georgia and the collective peacekeeping force of the Commonwealth of Independent States in order to ensure the safety and the freedom of movement of all personnel of the United Nations, the collective peacekeeping force and international humanitarian organizations;

10. *Welcomes* the additional steps taken in order to improve security conditions so as to minimize the danger to Mission personnel and to create conditions for the effective performance of the mandate of the Mission, and urges the Secretary-General to continue to make further arrangements in this field;

11. *Decides* to extend the mandate of the Mission for a new period terminating on 31 July 1998, subject to a review by the Council of the mandate of the Mission in the event of any changes that may be made in the mandate or in the presence of the collective peacekeeping force;

12. *Encourages* further contributions to address the urgent needs of those suffering most from the consequences of the conflict in Abkhazia, Georgia, in particular internally displaced persons, including contributions to the voluntary fund in support of the implementation of the Moscow Agreement[158] and/or for humanitarian aspects, including demining, as specified by donors, requests the Secretary-General to consider the means of providing technical and financial assistance aimed at the reconstruction of the economy of Abkhazia, Georgia, following the successful outcome of the political negotiations, and welcomes the planning of a needs assessment mission;

13. *Requests* the Secretary-General to continue to keep the Council regularly informed, to report after three months from the date of the adoption of the present resolution on the situation in Abkhazia, Georgia, including on the operations of the Mission, and to provide recommendations in that report on the nature of the United Nations presence, and, in this context, expresses its intention to conduct a thorough review of the operation at the end of its current mandate;

14. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3851st meeting.

Decisions

At its 3887th meeting, on 28 May 1998, the Security Council considered the item entitled:

"The situation in Georgia

"Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1998/375 and Add.1)".[159]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[160]

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[156] Ibid., *Fifty-second Year, Supplement for January, February and March 1997*, document S/1997/57, annex.

[157] Ibid., *Forty-ninth Year, Supplement for April, May and June 1994*, document S/1994/397.

[158] Ibid., document S/1994/583.

[159] Ibid., *Fifty-third Year, Supplement for April, May and June 1998*.

[160] S/PRST/1998/16.

"The Security Council has considered the report of the Secretary-General of 11 May 1998 concerning the situation in Abkhazia, Georgia.[161]

"The Council is gravely concerned by the recent outbreak of violence in the zone of conflict, which has resulted in the loss of human life and a significant outflow of refugees, and calls upon the parties to observe strictly the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[159] and also the ceasefire protocol signed on 25 May 1998, as well as all their obligations to refrain from the use of force and to resolve disputed issues by peaceful means only.

"The Council is deeply concerned by the recent slowing of the peace process. The Council calls upon the parties to display the necessary political will to achieve substantial results on the key issues of the negotiations within the framework of the United Nations-led peace process and through direct dialogue, with full respect for the sovereignty and territorial integrity of Georgia.

"The Council reaffirms the right of all refugees and displaced persons affected by the conflict to return to their homes in secure conditions, calls upon both sides to fulfil their obligations in this regard, and welcomes in this context the efforts undertaken by the members of the Commonwealth of Independent States, as set out in their decision of 28 April 1998,[162] in support of the return of refugees and of a comprehensive political settlement.

"The Council is deeply concerned that the deteriorating security situation in the Gali region gravely impedes the work of aid workers, personnel of the United Nations Observer Mission in Georgia and of the collective peacekeeping force of the Commonwealth of Independent States. The Council calls upon the parties to honour fully their commitments to take all measures in their power to improve the security situation, including the creation of a joint mechanism for investigation and prevention of acts that represent violations of the Moscow Agreement[159] and terrorist acts in the zone of conflict.

"The Council requests the Secretary-General to consult both sides on the basis of paragraphs 26, 48 and 49 of his report, in particular on the concept of the self-protection unit outlined therein, and on other options as appropriate, in close cooperation with the Group of Friends of the Secretary-General, bearing in mind the need to secure the consent of both parties to his proposal. The Council also requests the Secretary-General to report to it on the outcome of those consultations as soon as possible and no later than 12 June 1998."

On 10 July 1998, the President of the Security Council addressed the following letter to the Secretary-General:[163]

"I have the honour to inform you that the members of the Security Council took note with appreciation of your report of 10 June 1998 concerning the situation in Abkhazia, Georgia.[164]

"The members of the Council reiterated their call upon the parties to display the necessary political will to achieve substantial results within the framework of the United Nations-led peace process and through direct dialogue.

"The members of the Council supported the practical measures envisaged in that report to strengthen the security of the United Nations Observer Mission in Georgia.

"The members of the Council reiterated their deep concern regarding the security of the Mission and noted the measures already taken to improve security conditions to minimize the danger to Mission personnel and to create conditions for the implementation of its mandated tasks, while underlining the need to continue to make further arrangements in this field.

"In this context, the members of the Council look forward to your report pursuant to resolution 1150 (1998) of 30 January 1998."

At its 3912th meeting, on 30 July 1998, the Council decided to invite the representatives of Georgia and Germany to participate, without vote, in the discussion of the item entitled:

"The situation in Georgia

> "Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1998/647 and Add.1)".[165]

Resolution 1187 (1998) of 30 July 1998

The Security Council,

Reaffirming all its relevant resolutions, in particular resolution 1150 (1998) of 30 January 1998, recalling the statement by its President of 28 May 1998,[160] and recalling also the letter from its President to the Secretary-General dated 10 July 1998,[163]

Having considered the report of the Secretary-General of 14 July 1998,[166]

Deeply concerned at the continuing tense and confrontational situation in the Zugdidi and Gali regions and at the risk of resumed fighting,

Deeply concerned also at the unwillingness on the part of both sides to renounce violence and seriously consider peaceful options for the resolution of the conflict,

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[161] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, documents S/1998/375 and Add.1.

[162] Ibid., document S/1998/372, annex.

[163] S/1998/633.

[164] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, documents S/1998/497 and Add.1.

[165] Ibid., *Supplement for July, August and September 1998*.

[166] Ibid., documents S/1998/647 and Add.1.

Supporting the vigorous efforts made by the Secretary-General and his Special Representative, with the assistance of the Russian Federation in its capacity as facilitator, as well as of the Group of Friends of the Secretary-General and of the Organization for Security and Cooperation in Europe, to prevent the resumption of hostilities and to give a new impetus to the negotiations within the United Nations-led peace process, and welcoming in this context the adoption by the parties of the concluding statement of the meeting held in Geneva from 23 to 25 July 1998 and the accompanying statement of the Group of Friends of the Secretary-General,[167]

Reaffirming the necessity for the parties strictly to respect human rights, expressing its support for the efforts of the Secretary-General to find ways to improve their observance as an integral part of the work towards a comprehensive political settlement, and noting developments in the work of the United Nations Human Rights Office in Abkhazia, Georgia,

Welcoming the role of the United Nations Observer Mission in Georgia and of the collective peacekeeping force of the Commonwealth of Independent States as stabilizing factors in the zone of conflict, noting that the cooperation between the Mission and the collective peacekeeping force is good, and stressing the importance of continued close cooperation and coordination between them in the performance of their respective mandates,

1. *Welcomes* the report of the Secretary-General of 14 July 1998;[166]

2. *Reiterates its grave concern* at the resumption of hostilities in May 1998, and calls upon the parties to observe strictly the Agreement on a Ceasefire and Separation of Forces signed in Moscow on 14 May 1994[158] and also the ceasefire protocol signed on 25 May 1998, as well as all their obligations to refrain from the use of force and to resolve disputed issues by peaceful means only;

3. *Expresses its deep concern* at the significant outflow of refugees resulting from the recent hostilities, reaffirms the right of all refugees and displaced persons to return to their homes in secure conditions in accordance with international law and as set out in the Quadripartite Agreement on the Voluntary Return of Refugees and Displaced Persons of 4 April 1994,[157] calls upon both sides to fulfil their obligations in this regard, and demands in particular that the Abkhaz side allow the unconditional and immediate return of all persons displaced since the resumption of hostilities in May 1998;

4. *Condemns* the deliberate destruction of houses by Abkhaz forces, with the apparent motive of expelling people from their home areas;

5. *Recalls* the conclusions of the Lisbon summit of the Organization for Security and Cooperation in Europe regarding the situation in Abkhazia, Georgia,[156] and reaffirms the unacceptability of the demographic changes resulting from the conflict;

6. *Expresses its deep concern* at the extremely difficult humanitarian situation of the displaced persons from the Gali region as well as of those who remained in that area, and at the serious negative impact recent developments have had on international humanitarian efforts in the Gali region;

7. *Reiterates* that the primary responsibility for achieving peace rests upon the parties themselves, and reminds them that the continued commitment of the international community to assist them depends on their progress in this regard;

8. *Calls upon* the parties to display without delay the necessary political will to achieve substantial results on the key issues of the negotiations, with full respect for the sovereignty and territorial integrity of Georgia, within the framework of the United Nations-led peace process and through direct dialogue, and to cooperate fully with the efforts made by the Secretary-General and his Special Representative, with the assistance of the Russian Federation as facilitator, as well as of the Group of Friends of the Secretary-General and of the Organization for Security and Cooperation in Europe;

9. *Welcomes* the meeting of the parties held in Geneva from 23 to 25 July 1998, and calls upon them to continue and increase their active engagement in this process initiated by the Secretary-General aimed at achieving a comprehensive political settlement;

10. *Reminds* the parties of their commitments to take all measures in their power and to coordinate their efforts to ensure the security and safety of international personnel, and calls upon them to implement fully and without delay those commitments, including the creation of a joint mechanism for investigation and prevention of acts that represent violations of the Moscow Agreement[158] and terrorist acts in the zone of conflict;

11. *Condemns* the acts of violence against the personnel of the United Nations Observer Mission in Georgia, the renewed laying of mines in the Gali region and also the attacks by armed groups, operating in the Gali region from the Georgian side of the Inguri River, against the collective peacekeeping force of the Commonwealth of Independent States, and demands that the parties, in particular the Georgian authorities, take determined measures to put a stop to such acts which subvert the peace process;

12. *Reiterates its deep concern* regarding the security of the Mission, welcomes the measures already taken to improve security conditions to minimize the danger to Mission personnel and to create conditions for the implementation of the mandated tasks of the Mission, underlines the need to continue to make further arrangements in this field, welcomes also the instruction of the Secretary-General that the security of the Mission be kept under constant review, and calls upon the two parties to facilitate the implementation of practical measures resulting from that review;

13. *Expresses its concern* at the mass media campaign launched in Abkhazia, Georgia, and the acts of harassment against the Mission, and calls upon the Abkhaz side to cease those acts;

14. *Decides* to extend the mandate of the Mission for a new period terminating on 31 January 1999, subject to a review by the Council of the mandate of the Mission in the event of any changes that may be made in the mandate or in the presence of the collective peacekeeping force;

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[167] Ibid., document S/1998/647/Add.1.

15. *Requests* the Secretary-General to continue to keep the Council regularly informed, to report three months after the date of the adoption of the present resolution on the situation in Abkhazia, Georgia, including on the operations of the Mission, and expresses its intention to conduct a review of the Mission in the light of the report of the Secretary-General, taking into account in particular the progress made by the two parties in creating secure conditions in which the Mission can fulfil its existing mandate, and in establishing a political settlement;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3912th meeting.

Decisions

On 10 November 1998, the President of the Security Council addressed the following letter to the Security Council:[168]

> "I have the honour to inform you that your letter dated 6 November 1998 concerning your intention to appoint Major General Tariq Waseem Ghazi, of Pakistan, as the Chief Military Observer of the United Nations Observer Mission in Georgia[169] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

At its 3948th meeting, on 25 November 1998, the Council considered the item entitled:

> "The situation in Georgia
>
> "Report of the Secretary-General concerning the situation in Abkhazia, Georgia (S/1998/1012 and Add.1)".[170]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[171]

> "The Security Council has considered the report of the Secretary-General of 29 October 1998 concerning the situation in Abkhazia, Georgia.[172]
>
> "The Council remains deeply concerned at the continuing tense and unstable situation in the Gali and Zugdidi regions and at the threat of resumption of serious hostilities. The Council demands that both sides observe strictly all their obligations to refrain from the use of force and to resolve disputed issues by peaceful means only.
>
> "The Council welcomes the reinvigoration of the negotiations within the United Nations-led peace process. It particularly welcomes the meeting of the two sides on confidence-building measures held in Athens from 16 to 18 October 1998, the largest and most representative meeting of the parties since the military confrontation of 1993, and the increased bilateral contacts between the two sides. The Council strongly urges the two sides to build on this momentum to widen their commitment to the United Nations-led peace process, to continue to intensify their discussion, in particular within the Coordinating Council, and to expand their relations at all levels. The Council also strongly encourages the parties to work together in order to convene a meeting between the President of Georgia and Mr. Vladislav Ardzinba and to reach agreements, in particular on the return of refugees and measures for the economic rehabilitation of Abkhazia, Georgia, as a concrete step towards easing tensions and leading to improvement in the security environment. The Council reiterates its call to both sides to display without delay the necessary will to achieve substantial results on the key issues of the negotiations, and calls upon them to implement promptly and in good faith their undertakings, so that living conditions for the population on both sides can be improved by practical confidence-building measures.
>
> "The Council strongly condemns the deliberate acts of violence against the personnel of the United Nations Observer Mission in Georgia and of the collective peacekeeping force of the Commonwealth of Independent States, including the continued laying of mines, which also endangers the civilian population and impedes the work of the humanitarian organizations. The Council demands that both sides take determined and prompt measures to put a stop to such acts, which subvert the peace process, and to ensure that the security environment of all international personnel improves significantly.
>
> "The Council welcomes the efforts of the Secretary-General aimed at improving the security of the Mission, approves his proposal to increase the number of internationally recruited lightly-armed security personnel and additional local security personnel to provide internal security to the installations of the Mission, and requests the Secretary-General to keep the security of the Mission under constant review, taking into account the observations contained in his report.
>
> "The Council reminds both sides that the continued commitment of the international community to assist them depends on their progress in achieving peacefully a comprehensive political settlement."

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[168] S/1998/1053.

[169] S/1998/1052.

[170] See *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998.*

[171] S/PRST/1998/34.

[172] *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, documents S/1998/1012 and Add.1.

THE SITUATION IN THE MIDDLE EAST

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1967.*]

Decision

At its 3852nd meeting, on 30 January 1998, the Security Council considered the item entitled:

"The situation in the Middle East

> "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/1998/53)".[173]

Resolution 1151 (1998) of 30 January 1998

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 20 January 1998 on the United Nations Interim Force in Lebanon,[174] and taking note of the observations expressed and the commitments mentioned therein,

Taking note of the letter dated 6 January 1998 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[175]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is until 31 July 1998;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978),[176] and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Condemns* all acts of violence committed in particular against the Force, and urges the parties to put an end to them;

5. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

6. *Encourages* further efficiency and savings provided they do not affect the operational capacity of the Force;

7. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Adopted unanimously at the 3852nd meeting.

Decisions

At the 3852nd meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[177]

> "The Security Council has noted with appreciation the report of the Secretary-General of 20 January 1998 on the United Nations Interim Force in Lebanon, submitted in conformity with resolution 1122 (1997) of 29 July 1997.[174]
>
> "The Council reaffirms its commitment to the full sovereignty, political independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.
>
> "As the Council extends the mandate of the Force for a further interim period on the basis of resolution 425 (1978), it again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful effort to extend its authority in the south of the country in full coordination with the Force.
>
> "The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life, and urges all parties to exercise restraint.
>
> "The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard. The Council notes with deep concern the high level of casualties the Force has suffered and pays a special tribute to all those who gave their lives while serving in the Force. It commends the troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

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[173] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[174] Ibid., document S/1998/53.

[175] Ibid., document S/1998/7.

[176] Ibid., *Thirty-third Year, Supplement for January, February and March 1978*, document S/12611.

[177] S/PRST/1998/2.

On 2 March 1998, the President of the Security Council addressed the following letter to the Secretary-General:[178]

> "I have the honour to inform you that your letter dated 25 February 1998 regarding your intention to appoint Major General Timothy Roger Ford, of Australia, to succeed Major General Rufus Kupolati, of Nigeria, as Chief of Staff of the United Nations Truce Supervision Organization[179] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in the letter."

On 1 May 1998, the President of the Security Council addressed the following letter to the Secretary-General:[180]

> "I have the honour to inform you that your letter dated 28 April 1998 concerning your proposal to add Slovakia to the list of Member States providing troops to the United Nations Disengagement Observer Force[181] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 3885th meeting, on 27 May 1998, the Council considered the item entitled:

> "The situation in the Middle East
>
> > "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1998/391)".[182]

Resolution 1169 (1998) of 27 May 1998

The Security Council,

Having considered the report of the Secretary-General of 14 May 1998 on the United Nations Disengagement Observer Force,[183]

Decides:

(*a*) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 30 November 1998;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 3885th meeting.

Decisions

At the 3885th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[184]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[183] states, in paragraph 10: "Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." That statement of the Secretary-General reflects the view of the Security Council.' "

On 22 July 1998, the President of the Security Council addressed the following letter to the Secretary-General:[185]

> "I have the honour to inform you that your letter dated 17 July 1998 concerning your proposal to add Slovakia and Slovenia to the list of Member States providing military observers to the United Nations Truce Supervision Organization[186] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 3913th meeting, on 30 July 1998, the Council considered the item entitled:

> "The situation in the Middle East
>
> > "Report of the Secretary-General on the United Nations Interim Force in Lebanon (S/1998/652)".[187]

Resolution 1188 (1998) of 30 July 1998

The Security Council,

Recalling its resolutions 425 (1978) and 426 (1978) of 19 March 1978, 501 (1982) of 25 February 1982, 508 (1982) of 5 June 1982, 509 (1982) of 6 June 1982 and 520 (1982) of 17 September 1982, as well as all its resolutions on the situation in Lebanon,

Having studied the report of the Secretary-General of 16 July 1998 on the United Nations Interim Force in Lebanon,[188] and taking note of the observations expressed and the commitments mentioned therein,

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[178] S/1998/184.

[179] S/1998/183.

[180] S/1998/364.

[181] S/1998/363.

[182] See *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998.*

[183] Ibid., document S/1998/391.

[184] S/PRST/1998/15.

[185] S/1998/680.

[186] S/1998/679.

[187] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998.*

[188] Ibid., document S/1998/652.

Taking note of the letter dated 26 June 1998 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General,[189]

Responding to the request of the Government of Lebanon,

1. *Decides* to extend the present mandate of the United Nations Interim Force in Lebanon for a further period of six months, that is, until 31 January 1999;

2. *Reiterates its strong support* for the territorial integrity, sovereignty and political independence of Lebanon within its internationally recognized boundaries;

3. *Re-emphasizes* the terms of reference and general guidelines of the Force as stated in the report of the Secretary-General of 19 March 1978, approved by resolution 426 (1978),[176] and calls upon all parties concerned to cooperate fully with the Force for the full implementation of its mandate;

4. *Condemns* all acts of violence committed in particular against the Force, and urges the parties to put an end to them;

5. *Reiterates* that the Force should fully implement its mandate as defined in resolutions 425 (1978), 426 (1978) and all other relevant resolutions;

6. *Encourages* further efficiency and savings provided they do not affect the operational capacity of the Force;

7. *Requests* the Secretary-General to continue consultations with the Government of Lebanon and other parties directly concerned with the implementation of the present resolution and to report to the Security Council thereon.

Adopted unanimously at the 3913th meeting.

Decisions

At the 3913th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[190]

> "The Security Council has noted with appreciation the report of the Secretary-General of 16 July 1998 on the United Nations Interim Force in Lebanon, submitted in conformity with resolution 1151 (1998) of 30 January 1998.[188]
>
> "The Council reaffirms its commitment to the full sovereignty, political independence, territorial integrity and national unity of Lebanon within its internationally recognized boundaries. In this context, the Council asserts that all States shall refrain from the threat or use of force against the territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.
>
> "As the Council extends the mandate of the Force for a further interim period on the basis of resolution 425 (1978), it again stresses the urgent need for the implementation of that resolution in all its aspects. It reiterates its full support for the Taif Agreement of 22 October 1989 and for the continued efforts of the Lebanese Government to consolidate peace, national unity and security in the country, while successfully carrying out the reconstruction process. The Council commends the Lebanese Government for its successful effort to extend its authority in the south of the country in full coordination with the Force.
>
> "The Council expresses its concern over the continuing violence in southern Lebanon, regrets the loss of civilian life, and urges all parties to exercise restraint.
>
> "The Council takes this opportunity to express its appreciation for the continuing efforts of the Secretary-General and his staff in this regard. The Council notes with deep concern the high level of casualties the Force has suffered and pays a special tribute to all those who gave their life while serving in the Force. It commends the troops of the Force and troop-contributing countries for their sacrifices and commitment to the cause of international peace and security under difficult circumstances."

On 21 September 1998, the President of the Security Council addressed the following letter to the Secretary-General:[191]

> "I have the honour to inform you that your letter dated 14 September 1998 regarding your intention to appoint Brigadier General Cameron Ross, of Canada, to succeed Major General David Stapleton, of Ireland, as Force Commander of the United Nations Disengagement Observer Force[192] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in the letter."

On 20 October 1998, the President of the Security Council addressed the following letter to the Secretary-General:[193]

> "I have the honour to inform you that your letter dated 16 October 1998 concerning your proposal to add India to the list of Member States providing military personnel to the United Nations Interim Force in Lebanon[194] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 3947th meeting, on 25 November 1998, the Council considered the item entitled:

"The situation in the Middle East

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[189] Ibid., *Supplement for April, May and June 1998*, document S/1998/584.

[190] S/PRST/1998/23.

[191] S/1998/874.

[192] S/1998/873.

[193] S/1998/976.

[194] S/1998/975.

> "Report of the Secretary-General on the United Nations Disengagement Observer Force (S/1998/1073)".[195]

Resolution 1211 (1998) of 25 November 1998

The Security Council,

Having considered the report of the Secretary-General of 14 November 1998 on the United Nations Disengagement Observer Force,[196]

Decides:

(*a*) To call upon the parties concerned to implement immediately Security Council resolution 338 (1973) of 22 October 1973;

(*b*) To renew the mandate of the United Nations Disengagement Observer Force for another period of six months, that is, until 31 May 1999;

(*c*) To request the Secretary-General to submit, at the end of this period, a report on the development in the situation and the measures taken to implement resolution 338 (1973).

Adopted unanimously at the 3947th meeting.

Decision

At the 3947th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[197]

> "In connection with the resolution just adopted on the renewal of the mandate of the United Nations Disengagement Observer Force, I have been authorized to make the following complementary statement on behalf of the Security Council:
>
> > 'As is known, the report of the Secretary-General on the United Nations Disengagement Observer Force[196] states, in paragraph 8: "Despite the present quiet in the Israeli-Syrian sector, the situation in the Middle East continues to be potentially dangerous and is likely to remain so, unless and until a comprehensive settlement covering all aspects of the Middle East problem can be reached." That statement of the Secretary-General reflects the view of the Security Council.' "

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[195] See *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*.

[196] Ibid., document S/1998/1073.

[197] S/PRST/1998/33.

THE SITUATION IN THE CENTRAL AFRICAN REPUBLIC

[*Resolutions or decisions on this question were also adopted by the Security Council in 1997.*]

Decision

At its 3853rd meeting, on 5 February 1998, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

> "The situation in the Central African Republic
>
> > "Report of the Secretary-General pursuant to resolution 1136 (1997) concerning the situation in the Central African Republic (S/1998/61)".[198]

Resolution 1152 (1998) of 5 February 1998

The Security Council,

Reaffirming its resolutions 1125 (1997) of 6 August 1997 and 1136 (1997) of 6 November 1997,

Taking note of the third report to the Security Council by the International Committee for the follow-up of the Bangui Agreements,[199]

Taking note also of the letter dated 28 January 1998 from the President of the Central African Republic to the President of the Security Council[200] and the letter dated 4 February 1998 from the President of Gabon, on behalf of the members of the International Committee for the follow-up of the Bangui Agreements, to the President of the Security Council,[201]

Having considered the report of the Secretary-General of 23 January 1998, submitted to the Council in accordance with resolution 1136 (1997),[202]

Expressing its appreciation for the neutral and impartial way in which the Inter-African Mission to Monitor the

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[198] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*.

[199] Ibid., document S/1998/86, annex.

[200] Ibid., document S/1998/88.

[201] Ibid., document S/1998/97.

[202] Ibid., document S/1998/61.

Implementation of the Bangui Agreements has carried out its mandate, in close cooperation with the Central African authorities, and noting with satisfaction that the Inter-African Mission has contributed to stabilizing the situation in the Central African Republic, in particular through the supervision of the surrendering of arms,

Noting that the States participating in the Inter-African Mission and the Central African Republic have decided to extend its mandate[203] in order for it to complete its mission with the prospect of the United Nations establishing a peacekeeping operation,

Stressing the importance of regional stability, and in this context fully supporting the efforts made by the Member States participating in the International Mediation Committee established by the Nineteenth Summit of the Heads of State, Government and Delegation of France and Africa, held at Ouagadougou from 4 to 6 December 1996, and by the members of the International Committee for the follow-up of the Bangui Agreements,

Stressing also the need for all signatories of the Bangui Agreements[204] to continue to cooperate fully in respecting and implementing the Agreements in order to help to foster the conditions for long-term stability in the Central African Republic,

Determining that the situation in the Central African Republic continues to constitute a threat to international peace and security in the region,

1. *Welcomes* the efforts made by the Member States participating in the Inter-African Mission to Monitor the Implementation of the Bangui Agreements and by those States providing support to them, and their readiness to maintain these efforts;

2. *Welcomes also* the support provided by the United Nations Development Programme to the International Committee for the follow-up of the Bangui Agreements, and encourages the United Nations Development Programme to continue this support;

3. *Calls upon* the parties in the Central African Republic to complete the implementation without delay of the provisions of the Bangui Agreements,[204] and also calls for the fulfilment of the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General;[205]

4. *Approves* the continued conduct by Member States participating in the Inter-African Mission of the operation in a neutral and impartial way to achieve its objective as set out in paragraph 2 of resolution 1125 (1997);

5. *Acting* under Chapter VII of the Charter of the United Nations, authorizes the Member States participating in the Inter-African Mission and those States providing logistical support to ensure security and freedom of movement of their personnel;

6. *Decides* that the authorization referred to in paragraph 5 above will be initially extended until 16 March 1998;

7. *Recalls* that the expenses and logistical support for the Inter-African Mission will be borne on a voluntary basis in accordance with article 11 of the mandate of the Mission,[203] and encourages Member States to contribute to the Trust Fund for the Central African Republic;

8. *Welcomes* the intention of the Secretary-General, as expressed in his report of 23 January 1998,[202] to appoint a Special Representative to the Central African Republic, and expresses its belief that the prompt appointment of such a representative could assist the parties in the implementation of the Bangui Agreements and provide support to other activities of the United Nations in the country;

9. *Reiterates its call* to all States, international organizations and financial institutions to assist in post-conflict development in the Central African Republic;

10. *Requests* the Member States participating in the Inter-African Mission to provide a report to the Security Council through the Secretary-General before the end of the period referred to in paragraph 6 above;

11. *Requests* the Secretary-General to submit a report for its consideration, no later than 23 February 1998, on the situation in the Central African Republic, with recommendations regarding the establishment of a United Nations peacekeeping operation, including the structure, specific goals and financial implications of such an operation, and with information on the implementation of the Bangui Agreements and on the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General;

12. *Expresses its intention* to take a decision by 16 March 1998 on the establishment of a United Nations peacekeeping operation in the Central African Republic on the basis of the report referred to in paragraph 11 above;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3853rd meeting.

Decision

At its 3860th meeting, on 16 March 1998, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

> "Report of the Secretary-General pursuant to resolution 1152 (1998) concerning the situation in the Central African Republic (S/1998/148 and Add.1)".[198]

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[203] Ibid., *Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/561, appendix I.

[204] Ibid., appendices III-VI.

[205] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/61, annex.

Resolution 1155 (1998) of 16 March 1998

The Security Council,

Reaffirming its resolutions 1125 (1997) of 6 August 1997, 1136 (1997) of 6 November 1997 and 1152 (1998) of 5 February 1998,

Taking note of the report of 10 March 1998 of the International Committee for the follow-up of the Bangui Agreements, submitted to the Security Council pursuant to resolution 1152 (1998),[206]

Taking note also of the letter dated 11 March 1998 from the President of the Central African Republic to the President of the Security Council[207] and of the letter dated 13 March 1998 from the President of Gabon, on behalf of the members of the International Committee for the follow-up of the Bangui Agreements, to the President of the Security Council,[208]

Having considered the report of the Secretary-General of 23 February 1998, submitted to the Council in accordance with resolution 1152 (1998),[209]

Expressing its appreciation for the neutral and impartial way in which the Inter-African Mission to Monitor the Implementation of the Bangui Agreements has carried out its mandate, in close cooperation with the Central African authorities, and noting with satisfaction that the Inter-African Mission has contributed significantly to stabilizing the situation in the Central African Republic, in particular through the supervision of the surrendering of arms,

Noting that the States participating in the Inter-African Mission and the Central African Republic have decided to extend the mandate of the Mission until 15 April 1998 in order to ensure a smooth transition to the prospective deployment of a United Nations peacekeeping operation,[207]

Stressing the importance of regional stability, and in this context fully supporting the efforts of the International Mediation Committee established by the Nineteenth Summit of the Heads of State, Government and Delegation of France and Africa and by the members of the International Committee for the follow-up of the Bangui Agreements,

Stressing also the need for all signatories to the Bangui Agreements[204] to continue to cooperate fully in respecting and implementing the Agreements,

Determining that the situation in the Central African Republic continues to constitute a threat to international peace and security in the region,

1. *Welcomes* the efforts made by the Member States participating in the Inter-African Mission to Monitor the Implementation of the Bangui Agreements and by those States providing support to them, and their readiness to maintain these efforts;

2. *Urges* the Government of the Central African Republic to continue to fulfil the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General,[205] and calls upon the parties in the Central African Republic to complete the implementation of the provisions of the Bangui Agreements[204] and to implement the conclusions of the National Reconciliation Conference;[210]

3. *Approves* the continued conduct by Member States participating in the Inter-African Mission of the operation in a neutral and impartial way to achieve its objective as set out in paragraph 2 of resolution 1125 (1997);

4. *Acting* under Chapter VII of the Charter of the United Nations, authorizes the Member States participating in the Inter-African Mission and those States providing logistical support to ensure security and freedom of movement of their personnel;

5. *Decides* that the authorization referred to in paragraph 4 above shall be extended until 27 March 1998;

6. *Recalls* that the expenses and logistical support for the Inter-African Mission will be borne on a voluntary basis in accordance with article 11 of the mandate of the Mission, and encourages Member States to contribute to the Trust Fund for the Central African Republic;

7. *Affirms* that it will take a decision by 27 March 1998 on the establishment of a United Nations peacekeeping operation in the Central African Republic on the basis of the report of the Secretary-General of 23 February 1998;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3860th meeting.

Decision

At its 3867th meeting, on 27 March 1998, the Security Council decided to invite the representatives of the Central African Republic and the Sudan to participate, without vote, in the discussion of the item entitled:

> "The situation in the Central African Republic
>
> > "Report of the Secretary-General pursuant to resolution 1152 (1998) concerning the situation in the Central African Republic (S/1998/148 and Add.1)".[198]

Resolution 1159 (1998) of 27 March 1998

The Security Council,

Reaffirming its resolutions 1125 (1997) of 6 August 1997, 1136 (1997) of 6 November 1997, 1152 (1998) of 5 February 1998 and 1155 (1998) of 16 March 1998,

Recalling the report of 10 March 1998 of the International Committee for the follow-up of the Bangui

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[206] Ibid., document S/1998/221, annex.

[207] Ibid., document S/1998/219, annex.

[208] Ibid., document S/1998/233, annex.

[209] Ibid., documents S/1998/148 and Add.1.

[210] Ibid., document S/1998/219, appendix.

Agreements, submitted to the Security Council pursuant to resolution 1152 (1998),[206]

Recalling also the letter dated 11 March 1998 from the President of the Central African Republic to the President of the Security Council[207] and the letter dated 13 March 1998 from the President of Gabon, on behalf of the members of the International Committee for the follow-up of the Bangui Agreements, to the President of the Security Council,[208]

Having further considered the report of the Secretary-General of 23 February 1998, submitted to the Council in accordance with resolution 1152 (1998),[209]

Reiterating its appreciation for the neutral and impartial way in which the Inter-African Mission to Monitor the Implementation of the Bangui Agreements has carried out its mandate, in close cooperation with the Central African authorities, and noting with satisfaction that the Inter-African Mission has contributed significantly to stabilizing the situation in the Central African Republic, in particular through the supervision of the surrendering of arms,

Recognizing that the States participating in the Inter-African Mission and the Central African Republic extended the mandate of the Mission until 15 April 1998 in order to ensure a smooth transition to the deployment of a United Nations peacekeeping operation,

Stressing the importance of regional stability and the need to consolidate the progress achieved by the Inter-African Mission, and in particular to assist the people of the Central African Republic to consolidate the process of national reconciliation and help to sustain a secure and stable environment conducive to the holding of free and fair elections,

Stressing also the need for all signatories to the Bangui Agreements[204] to continue to implement the Agreements and for the authorities of the Central African Republic to take concrete steps to implement political, economic, social and security reforms as referred to in the report of the Secretary-General of 23 February 1998, including the establishment of an electoral code and preparations for legislative elections scheduled for August/September 1998,

Recognizing the link between peace and development and that a sustained commitment by the international community to assist and support the economic, social and institutional development of the Central African Republic is indispensable for long-term peace and stability in the country, and in that regard welcoming the cooperation between the Government of the Central African Republic and the international financial institutions in developing an economic reform programme,

Determining that the situation in the Central African Republic continues to constitute a threat to international peace and security in the region,

A

1. *Welcomes* the progress made by the Central African authorities and parties towards the achievement of national reconciliation and sustainable stability in the Central African Republic;

2. *Urges* the Government of the Central African Republic to continue to fulfil the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General,[205] and calls upon the parties in the Central African Republic to complete the implementation of the provisions of the Bangui Agreements[204] and to implement the National Reconciliation Pact;[210]

3. *Reiterates its call* to all States, international organizations and financial institutions to assist in post-conflict development in the Central African Republic;

B

4. *Welcomes* the efforts made by the Member States participating in the Inter-African Mission to Monitor the Implementation of the Bangui Agreements and by those States providing support to them, and their readiness to maintain these efforts;

5. *Approves* the continued conduct by the Member States participating in the Inter-African Mission of the operation in a neutral and impartial way to achieve its objective as set out in paragraph 2 of resolution 1125 (1997);

6. *Acting* under Chapter VII of the Charter of the United Nations, authorizes the Member States participating in the Inter-African Mission and those States providing logistical support to ensure security and freedom of movement of their personnel;

7. *Decides* that the authorization referred to in paragraph 6 above will end on 15 April 1998;

8. *Recalls* that the expenses and logistical support for the Inter-African Mission will be borne on a voluntary basis in accordance with article 11 of the mandate of the Mission, and encourages Member States to contribute to the Trust Fund for the Central African Republic;

C

9. *Decides* to establish the United Nations Mission in the Central African Republic with effect from 15 April 1998, and decides also that the military component of the Mission shall not exceed 1,350 personnel;

10. *Decides* that, taking into account the recommendations of the Secretary-General in his report of 23 February 1998,[209] the Mission shall have the following initial mandate:

(*a*) To assist in maintaining and enhancing security and stability, including freedom of movement, in Bangui and the immediate vicinity of the city;

(*b*) To assist the national security forces in maintaining law and order and in protecting key installations in Bangui;

(*c*) To supervise, control storage and monitor the final disposition of all weapons retrieved in the course of the disarmament exercise;

(*d*) To ensure security and freedom of movement of United Nations personnel and the safety and security of United Nations property;

(*e*) To assist in coordination with other international efforts in a short-term police trainers program and in other capacity-building efforts of the national police, and to provide advice on the restructuring of the national police and special police forces;

(*f*) To provide advice and technical support to the national electoral bodies regarding the electoral code and plans for the conduct of the legislative elections scheduled for August/September 1998;

11. *Authorizes* the Secretary-General to take the measures necessary to ensure that the United Nations Mission is fully deployed by 15 April 1998 in order to carry out its mandate, and to secure a smooth transition between the Inter-African Mission and the United Nations Mission;

12. *Decides* that the United Nations Mission is established for an initial period of three months until 15 July 1998, and expresses its intention to decide on the extension of the Mission on the basis of the report to be submitted by the Secretary-General pursuant to paragraph 15 below;

13. *Affirms* that the Mission may be required to take action to ensure the security and freedom of movement of its personnel in the discharge of its mandate;

14. *Welcomes* the appointment by the Secretary-General, within the Mission, of his Special Representative in the Central African Republic:

(*a*) To assist in the promotion of the reforms necessary to achieve national reconciliation, security and stability in the country;

(*b*) To head the Mission;

(*c*) To have overall authority over all United Nations activities in the Central African Republic, in support of the mandate of the Mission;

(*d*) To provide good offices and mediation between the Government and political parties;

(*e*) To provide advice and facilitate technical assistance in the areas of good governance and the rule of law;

(*f*) To cooperate with other international partners, including international financial institutions, with the objective of supporting activities aimed at establishing the foundations for lasting peace, national reconstruction and development;

(*g*) To encourage the United Nations agencies and programmes to provide assistance to the Central African Republic, in particular in the areas referred to in the report of the Secretary-General;

15. *Requests* the Secretary-General to keep the Security Council regularly informed and to submit a report to the Council by 20 June 1998 on the implementation of the mandate of the Mission, on developments in the Central African Republic, on progress towards the implementation of the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General[208] and on the implementation of the Bangui Agreements[209] and the National Reconciliation Pact,[210] including on commitments related to ensuring the economic recovery of the country;

16. *Also requests* the Secretary-General to provide information in his report referred to in paragraph 15 above on the progress by the Government of the Central African Republic to adopt an electoral code, set a date for the legislative elections, and develop specific plans for the conduct of the legislative elections, and to make recommendations on the future role of the United Nations in the legislative elections process;

17. *Urges* Member States to respond positively to the request made to them by the Secretary-General to contribute personnel, equipment and other resources to the Mission in order to facilitate its early deployment;[211]

18. *Approves* the intention of the Secretary-General to establish a trust fund to enable Member States to make voluntary contributions to support the activities of the Mission and to assist in the financing of the Mission, and urges Member States to contribute to it;

19. *Requests* the Government of the Central African Republic to conclude a status-of-forces agreement with the Secretary-General before 25 April 1998, and recalls that pending the conclusion of such an agreement, the model status-of-forces agreement dated 9 October 1990[212] should apply provisionally;

20. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3867th meeting.

Decisions

On 3 April 1998, the President of the Security Council addressed the following letter to the Secretary-General:[213]

> "I have the honour to inform you that your letter dated 31 March 1998 concerning your intention to appoint Mr. Oluyemi Adeniji, of Nigeria, as Special Representative of the Secretary-General for the Central African Republic and Head of the United Nations Mission in the Central African Republic[214] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

On 14 April 1998, the President of the Security Council addressed the following letter to the Secretary-General:[215]

> "I have the honour to inform you that your letter dated 8 April 1998 concerning your intention to appoint Brigadier General Barthelemy Ratanga, of Gabon, as

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[211] Ibid., document S/1998/148.

[212] A/45/594.

[213] S/1998/298.

[214] S/1998/297.

[215] S/1998/321.

Force Commander of the United Nations Mission in the Central African Republic[216] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 3905th meeting, on 14 July 1998, the Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

"The situation in the Central African Republic

"Report of the Secretary-General on the United Nations Mission in the Central African Republic (S/1998/540)".[217]

Resolution 1182 (1998) of 14 July 1998

The Security Council,

Reaffirming its resolutions 1125 (1997) of 6 August 1997, 1136 (1997) of 6 November 1997, 1152 (1998) of 5 February 1998, 1155 (1998) of 16 March 1998 and 1159 (1998) of 27 March 1998,

Welcoming the report of the Secretary-General of 19 June 1998,[218] and noting the recommendations contained therein,

Noting with satisfaction the rapid and effective deployment of the United Nations Mission in the Central African Republic,

Stressing the importance of regional stability and the need to consolidate the progress achieved so far and, in particular, to assist the people of the Central African Republic to consolidate the process of national reconciliation and to help to sustain a secure and stable environment conducive to the holding of free and fair elections,

Welcoming the inauguration of the Electoral Commission with a neutral and independent Chairman, and stressing the need for all signatories to the Bangui Agreements[204] to cooperate to ensure the effective functioning of the Commission,

Reiterating the need for the authorities of the Central African Republic to continue to take concrete steps to implement political, economic, social and security reforms as referred to in the report of the Secretary-General of 23 February 1998[206] and to fulfil the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General,[205] including continued cooperation with the international financial institutions,

1. *Decides* to extend the mandate of the United Nations Mission in the Central African Republic until 25 October 1998;

2. *Calls upon* the Government of the Central African Republic to adopt, as soon as possible, a plan for the effective restructuring of the armed forces of the Central African Republic based on the proposals submitted by the Commission on the Restructuring of the Defence and Security Forces;

3. *Urges* the international community to lend its support to the restructuring of the security forces of the Central African Republic, including the gendarmerie, through bilateral and multilateral assistance programmes, and recognizes the role of the Mission of providing advice and technical assistance for the initial steps in restructuring those security forces and, in this connection, coordinating and channeling international support to this end;

4. *Recognizes* that the Mission, in implementing its mandate, may conduct reconnaissance missions of limited duration outside Bangui, and other tasks involving the security of United Nations personnel in accordance with paragraph 10 of resolution 1159 (1998);

5. *Calls upon* the authorities of the Central African Republic to adopt rapidly an operational plan for the organization of the legislative elections and so enable the United Nations and international organizations to make arrangements for the provision of the necessary assistance;

6. *Encourages* the Mission to continue to consult with the United Nations Development Programme regarding the provision of advice and technical assistance to all relevant electoral bodies, and urges the Secretary-General to provide, as soon as possible, recommendations for United Nations assistance for the legislative election process;

7. *Urges* Member States to provide the required technical, financial and logistical assistance for the organization of free and fair elections;

8. *Also urges* Member States to support the efforts of the authorities of the Central African Republic in the economic and social development of the country, and, in particular, encourages international financial institutions to cooperate with the Central African Republic in this regard;

9. *Requests* the Secretary-General to submit a report to the Security Council by 25 September 1998 on the implementation of the mandate of the Mission, on developments in the Central African Republic, on progress towards the implementation of the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General[205] and on the implementation of the Bangui Agreements[204] and the National Reconciliation Pact,[210] including on commitments related to ensuring the economic recovery of the country;

10. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3905th meeting

Decision

At its 3935th meeting, on 15 October 1998, the Security Council decided to invite the representative of the Central African Republic to participate, without vote, in the discussion of the item entitled:

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[216] S/1998/320.

[217] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*.

[218] Ibid., document S/1998/540.

"The situation in the Central African Republic

"Second report of the Secretary-General on the United Nations Mission in the Central African Republic (S/1998/783 and Add.1)".[217]

Resolution 1201 (1998) of 15 October 1998

The Security Council,

Reaffirming its resolutions 1125 (1997) of 6 August 1997, 1136 (1997) of 6 November 1997, 1152 (1998) of 5 February 1998, 1155 (1998) of 16 March 1998, 1159 (1998) of 27 March 1998 and 1182 (1998) of 14 July 1998,

Welcoming the report of the Secretary-General of 21 August 1998,[219] and noting the recommendations contained therein,

Stressing that the complete implementation of the Bangui Agreements[204] and of the National Reconciliation Pact[206] is essential to peace and national reconciliation in the Central African Republic, and recognizing the significant progress made by the Government of the Central African Republic in implementing the Bangui Agreements and initiating major political and economic reforms,

Recalling the importance of regional stability and the need to consolidate the progress achieved so far and, in particular, to assist the people of the Central African Republic to consolidate the process of national reconciliation and to help to sustain a secure and stable environment conducive to the holding of free and fair elections,

Emphasizing that the authorities of the Central African Republic and the mixed and independent Electoral Commission are responsible for the organization and conduct of the legislative elections,

Noting with satisfaction the adoption of an operational plan for the organization of the legislative elections by the Central African Republic and the mixed and independent Electoral Commission, and welcoming donor pledges made in support of the electoral process,

Recognizing the importance of the support already given by the United Nations Development Programme and the United Nations Mission in the Central African Republic to the mixed and independent Electoral Commission in the preparations for the elections,

1. *Welcomes* the announcement by the authorities of the Central African Republic and the mixed and independent Electoral Commission of the holding of legislative elections on 22 November and 13 December 1998;

2. *Decides* that the mandate of the United Nations Mission in the Central African Republic shall include support for the conduct of legislative elections as described in section III of the report of the Secretary-General of 21 August 1998[220] and, in particular:

(*a*) The transport of electoral materials and equipment to selected sites and to the *sous-préfectures*, as well as the transport of United Nations electoral observers to and from electoral sites;

(*b*) The conduct of a limited but reliable international observation of the first and second rounds of the legislative elections;

(c) Ensuring the security of electoral materials and equipment during their transport to and at the selected sites, as well as the security of the international electoral observers;

3. *Approves* the recommendation contained in paragraph 25 of the report of the Secretary-General[220] regarding the provision of security during the legislative election process, taking into account the need to ensure the stability and security of Bangui and in accordance with the cost estimate associated with this recommendation contained in the addendum to that report;

4. *Welcomes* the establishment of a joint committee of the Government of the Central African Republic and the Mission to address the restructuring of the Central African Armed Forces, and reiterates its call upon the Government of the Central African Republic to adopt as soon as possible a plan for the effective restructuring of the Armed Forces;

5. *Welcomes* the deployment of up to 150 troops of the Central African Armed Forces to the selected sites, operating under United Nations rules of engagement applicable to the Mission;

6. *Calls upon* the Central African authorities to provide the necessary assistance, including the security arrangements, that will enable the Central African Republic and the mixed and independent Electoral Commission to prepare adequately and freely for the legislative elections;

7. *Urges* all parties in the Central African Republic to assume fully their responsibilities in the legislative elections and to participate in them in a manner that will strengthen the democratic process and contribute to national reconciliation;

8. *Urges* Member States to provide the required technical, financial and logistical assistance for the organization of free and fair legislative elections;

9. *Decides* to extend the mandate of the Mission until 28 February 1999;

10. *Requests* the Secretary-General to keep the Security Council regularly informed and to submit by 20 December 1998 the report called for in resolution 1182 (1998) on the implementation of the mandate of the Mission, on developments in the Central African Republic, on progress towards the implementation of the commitments expressed in the letter dated 8 January 1998 from the President of the Central African Republic to the Secretary-General[203] and on the implementation of the Bangui Agreements[204] and the National Reconciliation Pact,[206] including on commitments related to ensuring the economic recovery of the country and the restructuring of the security forces;

11. *Expresses its intention* to terminate the Mission no later than 28 February 1999, with its drawdown beginning no later than 15 January 1999, and requests the Secretary-General

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[219] Ibid., documents S/1998/783 and Add.1.

[220] Ibid., document S/1998/783.

to make recommendations on this basis in his report referred to in paragraph 10 above;

12. *Expresses its appreciation* to the Secretary-General, his Special Representative and the personnel of the Mission for their efforts to promote peace and national reconciliation in the Central African Republic;

13. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3935th meeting.

THE SITUATION IN TAJIKISTAN AND ALONG THE TAJIK-AFGHAN BORDER

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.*]

Decisions

At its 3856th meeting, on 24 February 1998, the Security Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

> "The situation in Tajikistan and along the Tajik-Afghan border
>
> "Progress report of the Secretary-General on the situation in Tajikistan (S/1998/113).[221]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[222]

> "The Security Council has considered the progress report of the Secretary-General of 10 February 1998 on the situation in Tajikistan, submitted pursuant to paragraph 12 of its resolution 1138 (1997) of 14 November 1997.[223]
>
> "The Council regrets that during the last three months work on the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan[224] and the relevant activities of the Commission on National Reconciliation have proceeded very slowly. It welcomes recent efforts made by the parties in order to fulfil their obligations. The Council calls upon them to intensify their efforts to implement fully the General Agreement, including the protocol on military issues.[225] It also encourages the Commission on National Reconciliation to continue its efforts aimed at the institution of a broad dialogue among the various political forces, as foreseen in the General Agreement.
>
> "The Council commends the Special Representative of the Secretary-General and the personnel of the United Nations Mission of Observers in Tajikistan for their work and encourages them to continue assisting the parties in the implementation of the General Agreement. It welcomes the results of the international donor conference in support of peace and reconciliation in Tajikistan convened by the Secretary-General in Vienna on 24 and 25 November 1997,[226] and looks forward to the contribution of those results to consolidating the peace process in Tajikistan.
>
> "The Council reiterates its concern that the security situation in some parts of Tajikistan remains precarious. It reminds both parties that the international community is ready to continue assisting in the implementation of the General Agreement as well as in humanitarian and rehabilitation programmes, but that its ability to do so and also the ability of the Mission to carry out its tasks more effectively is linked to improvements in security conditions.
>
> "The Council firmly condemns the hostage-taking of relief workers that took place in November 1997 and urges the parties to cooperate further in ensuring the security and freedom of movement of the personnel of the United Nations, the collective peacekeeping forces of the Commonwealth of Independent States and other international personnel, and to take practical steps in this respect, such as those mentioned in paragraph 7 of the report of the Secretary-General.
>
> "The Council welcomes the presidential decree establishing a joint security unit with the task of providing security, including armed escorts, for Mission personnel and calls upon the parties to make the unit operational as soon as possible. It also welcomes the readiness of the collective peacekeeping forces to arrange for the guarding of United Nations premises in Dushanbe, as mentioned in the report of the Secretary-General, and encourages the Mission and the collective peacekeeping forces to make the relevant detailed arrangements.
>
> "The Council encourages the Secretary-General to continue the expansion of the Mission to the strength authorized by its resolution 1138 (1997) as soon as the Secretary-General deems conditions appropriate."

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[221] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[222] S/PRST/1998/4.

[223] *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/113.

[224] Ibid., *Fifty-second Year, Supplement for April, May and June 1997*, document S/1997/510, annex I.

[225] Ibid., *Supplement for January, February and March 1997*, document S/1997/209, annex II.

[226] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/113, para. 2.

On 27 March 1998, the President of the Security Council addressed the following letter to the Secretary-General:[227]

> "I have the honour to inform you that your letter dated 23 March 1998 concerning your intention to appoint Brigadier General Tengku Ariffin Bin Tengku Mohammed, of Malaysia, as the next Chief Military Observer of the United Nations Mission of Observers in Tajikistan[228] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

At its 3879th meeting, on 14 May 1998, the Council decided to invite the representative of Tajikistan to participate, without vote, in the presentationdiscussion of the item entitled:

> "The situation in Tajikistan and along the Tajik-Afghan border
>
> > "Report of the Secretary-General on the situation in Tajikistan (S/1998/374)".[229]

Resolution 1167 (1998) of 14 May 1998

The Security Council,

Recalling all its relevant resolutions and the statements by its President,

Having considered the report of the Secretary-General of 6 May 1998 on the situation in Tajikistan,[230]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Expressing regret that during the past three months progress in the peace process has been very slow,

Expressing concern at the precarious security situation in some parts of Tajikistan,

Expressing further concern at violations of the ceasefire in Tajikistan,

Welcoming the intensified contacts between the leadership of the Government of Tajikistan and the leadership of the United Tajik Opposition, which helped to contain the crises in the period covered by the report of the Secretary-General and confirmed the commitment of both parties to the peace process,

Recognizing that comprehensive international support remains essential for the intensification of the peace process in Tajikistan,

Welcoming the maintenance of close contact by the United Nations Mission of Observers in Tajikistan with the parties, as well as its cooperative liaison with the collective peacekeeping forces of the Commonwealth of Independent States, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

Welcoming also the contribution of the Contact Group of Guarantor States and International Organizations to the peace process,

1. *Welcomes* the report of the Secretary-General of 6 May 1998;[230]

2. *Condemns* renewed fighting in violation of the ceasefire resulting from attacks initiated by some local United Tajik Opposition commanders, and calls upon all concerned to refrain from acts of violence;

3. *Calls upon* the parties to undertake vigorous efforts to implement fully the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[224] including the protocol on military issues,[225] and to create conditions for the holding of elections at the earliest possible time;

4. *Also calls upon* the parties, with the involvement of the United Nations Mission of Observers in Tajikistan and the Contact Group of Guarantor States and International Organizations, to implement the timetable of measures adopted by the Commission on National Reconciliation on 29 April 1998, notably, and as a matter of priority, the implementation of the protocol on military issues and the appointment of United Tajik Opposition representatives to the remaining government positions allocated to them, as well as the implementation of the amnesty law;

5. *Notes with appreciation* the work of the retiring Special Representative of the Secretary-General, commends the efforts of all the personnel of the Mission, and encourages them to continue assisting the parties in the implementation of the General Agreement;

6. *Calls upon* the parties to intensify their efforts to bring into operation as soon as possible a joint security unit tasked with providing security for Mission personnel, and to cooperate further in ensuring the safety and freedom of movement of the personnel of the United Nations, the collective peacekeeping forces of the Commonwealth of Independent States, and other international personnel;

7. *Encourages* the Mission and the collective peacekeeping forces to continue discussion of options for improving security cooperation;

8. *Calls upon* Member States and others concerned to respond promptly and generously to the consolidated appeal for Tajikistan for 1998 launched in Geneva in March 1998, and expresses the hope that the meeting of the Consultative Group to be held by the World Bank on 20 May 1998 will bring positive results;

9. *Decides* to extend the mandate of the Mission for a period of six months until 15 November 1998;

10. *Requests* the Secretary-General to keep the Council informed of all significant developments, in particular regarding the security situation, and also requests him to report within three months of the adoption of the present resolution on its implementation;

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[227] S/1998/274.

[228] S/1998/273.

[229] See *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998.*

[230] Ibid., document S/1998/374.

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3879th meeting

Decisions

On 19 May 1998, the President of the Security Council addressed the following letter to the Secretary-General:[231]

> "I have the honour to inform you that your letter dated 15 May 1998 concerning your intention to appoint Mr. Jan Kubiš, of Slovakia, as your Special Representative for Tajikistan[232] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

On 28 August 1998, the President of the Security Council addressed the following letter to the Secretary-General:[233]

> "I have the honour to inform you that your interim report of 13 August 1998 on the situation in Tajikistan and the addendum thereto[234] have been considered by the members of the Security Council. The members of the Council take note of the information contained in paragraph 23 of the report as well as the information contained in the addendum to the report in that regard."

At its 3943rd meeting, on 12 November 1998, the Council decided to invite the representative of Tajikistan to participate, without vote, in the discussion of the item entitled:

> "The situation in Tajikistan and along the Tajik-Afghan border
>
> > "Report of the Secretary-General on the situation in Tajikistan (S/1998/1029)".[235]

Resolution 1206 (1998)
of 12 November 1998

The Security Council,

Recalling all its relevant resolutions and the statements by its President,

Having considered the report of the Secretary-General of 3 November 1998 on the situation in Tajikistan,[236]

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Welcoming the movement towards the implementation of the General Agreement on the Establishment of Peace and National Accord in Tajikistan[224] and the effective maintenance of the ceasefire between the Government of Tajikistan and the United Tajik Opposition, and noting that there remain difficulties to be resolved in this regard,

Welcoming also the intensified regular contacts between the leadership of the Government of Tajikistan and of the United Tajik Opposition which helped to contain the crises in the period covered by the report of the Secretary-General, confirmed the commitment of both parties to the peace process and contributed to the implementation of the General Agreement,

Welcoming further the maintenance of close contact by the United Nations Mission of Observers in Tajikistan with the parties, as well as its cooperative liaison with the collective peacekeeping forces of the Commonwealth of Independent States, the Russian border forces and the mission in Tajikistan of the Organization for Security and Cooperation in Europe,

Welcoming the contribution of the Contact Group of Guarantor States and International Organizations to the peace process,

Expressing concern at the precarious security situation in some parts of Tajikistan,

Deeply concerned that there has not been sufficient progress in establishing all relevant facts concerning the murder of four members of the United Nations Mission of Observers in Tajikistan in July 1998,

1. *Welcomes* the report of the Secretary-General of 3 November 1998;[236]

2. *Strongly condemns* the recent fighting in the Leninabad area initiated by forces trying to hinder the peace process in Tajikistan, and calls upon all concerned to refrain from the use of force;

3. *Calls upon* the parties to undertake vigorous efforts to implement fully the General Agreement on the Establishment of Peace and National Accord in Tajikistan,[224] including the protocol on military issues,[225] and to create conditions for the holding of elections at the earliest possible time in 1999;

4. *Notes with appreciation* the work of the Special Representative of the Secretary-General, commends the efforts of all the personnel of the United Nations Mission of Observers in Tajikistan, and encourages them to continue assisting the parties in the implementation of the General Agreement;

5. *Welcomes* the continued contribution made by the collective peacekeeping forces of the Commonwealth of Independent States in assisting the parties in the implementation of the General Agreement in coordination with all concerned;

6. *Strongly condemns* the murder of four members of the Mission, recognizes that the completion of the investigation into this case is important for the resumption of the field activities of the Mission, urges the Government of Tajikistan to complete the investigation expeditiously and to bring to justice all those found to be responsible for the crime, and also urges the United Tajik Opposition leaders to continue to cooperate fully with these efforts;

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[231] S/1998/408.

[232] S/1998/407.

[233] S/1998/818.

[234] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, documents S/1998/754 and Add.1.

[235] Ibid., *Supplement for October, November and December 1998.*

[236] Ibid., document S/1998/1029.

7. *Acknowledges* the efforts of the Government of Tajikistan to enhance the protection of international personnel, and calls upon the parties to cooperate further in ensuring the safety and freedom of movement of the personnel of the United Nations, the collective peacekeeping forces and other international personnel;

8. *Notes with satisfaction* the meeting of the Consultative Group held by the World Bank on 20 May 1998, and calls upon Member States and others concerned to respond promptly and generously to the consolidated appeal for Tajikistan for 1998 launched in Geneva in March 1998;

9. *Recognizes* that comprehensive international support remains essential for the intensification of the peace process in Tajikistan, and reminds both parties that the ability of the international community to mobilize and to continue assistance for Tajikistan is linked to the security of the personnel of the Mission and international organizations, and of humanitarian workers;

10. *Decides* to extend the mandate of the Mission for a period of six months until 15 May 1999;

11. *Requests* the Secretary-General to keep the Council informed of all significant developments, in particular regarding the security situation and measures taken to enhance the security of the Mission, and also requests him to report within three months of the adoption of the present resolution on its implementation;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3943rd meeting

THE SITUATION IN SIERRA LEONE

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1995.]

Decisions

At its 3857th meeting, on 26 February 1998, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[237]

> "The Security Council recalls its resolution 1132 (1997) of 8 October 1997, and the statements by its President of 27 May,[238] 11 July[239] and 6 August 1997,[240] following the military *coup d'état* in Sierra Leone on 25 May 1997. It expresses its deep regret at the violence, loss of life and property and immense suffering undergone by the people of Sierra Leone since the coup. It remains gravely concerned at the continued violence in the country and calls for an urgent end to the fighting.
>
> "The Council welcomes the fact that the rule of the military junta has been brought to an end, and stresses the imperative need for the immediate restoration of the democratically elected Government of President Ahmad Tejan Kabbah and a return to constitutional order, in accordance with paragraph 1 of its resolution 1132 (1997).
>
> "The Council encourages the earliest possible return to Freetown by President Kabbah and looks forward to his re-establishing a functioning and autonomous government in the country.
>
> "The Council expresses its readiness to terminate the measures imposed by paragraphs 5 and 6 of its resolution 1132 (1997) as soon as the conditions referred to in paragraph 1 of that resolution have been fulfilled.
>
> "The Council commends the important role that the Economic Community of West African States has continued to play towards the peaceful resolution of this crisis. The Council encourages the Monitoring Group of the Economic Community of West African States to proceed in its efforts to foster peace and stability in Sierra Leone, in accordance with relevant provisions of the Charter of the United Nations. It underlines the need for close cooperation between the legitimate Government of Sierra Leone, the Economic Community of West African States, and in particular its Committee of Five Ministers for Foreign Affairs on Sierra Leone, the commanders of the Monitoring Group, the Special Envoy of the Secretary-General and his staff, United Nations agencies and relevant international organizations in their work, and specifically in the development of a plan for the disarmament, demobilization and reintegration into civilian life of all combatants in Sierra Leone. In this context, it supports the intention of the Secretary-General, subject to security conditions on the ground, to take rapid steps towards the reopening of the United Nations Liaison Office in Freetown in order to support the activities of his Special Envoy, and in particular to assist national reconciliation and political dialogue.
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> "The Council expresses the view that the Conakry Agreement[241] and the Abidjan Agreement[242] provide important elements for a framework for peace, stability

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[237] S/PRST/1998/5.

[238] S/PRST/1997/29.

[239] S/PRST/1997/36.

[240] S/PRST/1997/42.

[241] *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/824, annexes I and II.

[242] Ibid., *Fifty-first Year, Supplement for October, November and December 1996*, document S/1996/1034, annex.

and national reconciliation in Sierra Leone. It calls upon all parties in Sierra Leone to work towards these objectives through peaceful means and political dialogue. In this regard, it condemns all reprisal killings and related violence in Sierra Leone and calls for an immediate end to such acts.

"The Council looks forward to detailed proposals by the Secretary-General concerning the role of the United Nations and its future presence in Sierra Leone. It requests the Secretary-General to establish a trust fund to support such activities and calls upon all Member States to make early contributions to it.

"The Council welcomes the interim report of the inter-agency assessment mission to Sierra Leone of 10 February 1998[243] and commends those Member States and international organizations which have provided urgent humanitarian assistance to Sierra Leone. It remains deeply concerned about the serious and fragile humanitarian situation in the country, and calls upon all States and international organizations to provide further urgent assistance to Sierra Leone and neighbouring countries affected by the crisis. It calls upon the Monitoring Group and all those concerned to ensure safe and unrestricted access to those in need.

"The Council expresses its concern about the safety of all humanitarian personnel in Sierra Leone and condemns the taking of hostages by former members of the deposed junta. It calls for the immediate release of all international personnel and others who have been detained or held hostage. It commends the Monitoring Group for its efforts to liberate those individuals being held against their will.

"The Council will remain seized of this matter."

At its 3861st meeting, on 16 March 1998, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Letter dated 9 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Sierra Leone to the United Nations addressed to the President of the Security Council (S/1998/215)".[244]

Resolution 1156 (1998)
of 16 March 1998

The Security Council,

Recalling its resolution 1132 (1997) of 8 October 1997 and the relevant statements by its President,

Taking note of the letter dated 9 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Sierra Leone to the United Nations addressed to the President of the Security Council,[245]

Acting under Chapter VII of the Charter of the United Nations,

1. *Welcomes* the return to Sierra Leone of its democratically elected President on 10 March 1998;

2. *Decides* to terminate, with immediate effect, the prohibitions on the sale or supply to Sierra Leone of petroleum and petroleum products referred to in paragraph 6 of resolution 1132 (1997);

3. *Welcomes* the intention of the Secretary-General to make proposals concerning the role of the United Nations and its future presence in Sierra Leone;

4. *Decides* to review the other prohibitions referred to in resolution 1132 (1997) in accordance with paragraph 17 of that resolution and in the light of developments and further discussion with the Government of Sierra Leone;

5. *Decides also* to remain seized of the matter.

Adopted unanimously at the
3861st meeting

Decision

At its 3872nd meeting, on 17 April 1998, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled:

"The situation in Sierra Leone

> "Fourth report of the Secretary-General on the situation in Sierra Leone (S/1998/249)".[244]

Resolution 1162 (1998)
of 17 April 1998

The Security Council,

Recalling its resolutions 1132 (1997) of 8 October 1997 and 1156 (1998) of 16 March 1998 and the statement by its President of 26 February 1998,[237]

Taking note of the report of the Secretary-General of 18 March 1998,[246]

1. *Welcomes* the efforts made by the democratically elected President of Sierra Leone since his return on 10 March 1998 and by the Government of Sierra Leone to restore peaceful and secure conditions in the country, to re-establish effective administration and the democratic process and to embark on the task of reconstruction and rehabilitation;

2. *Commends* the Economic Community of West African States and its Monitoring Group, deployed in Sierra Leone, on the important role they are playing in support of the objectives related to the restoration of peace and security set out in paragraph 1 above;

3. *Emphasizes* the need to promote national reconciliation in Sierra Leone, and encourages all parties in the country to work together towards this objective;

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[243] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/155, annex.

[244] Ibid., *Supplement for January, February and March 1998.*

[245] Ibid., document S/1998/215.

[246] Ibid., documents S/1998/249 and Add.1.

4. *Notes with satisfaction* the steps taken by the Secretary-General to strengthen the office of his Special Envoy in Freetown with necessary civilian and military personnel with the aims proposed in his report of 18 March 1998;[246]

5. *Authorizes* the deployment, with immediate effect, of up to ten United Nations military liaison and security advisory personnel, in accordance with paragraph 44 of the report of the Secretary-General, to Sierra Leone for a period of up to ninety days, to work under the authority of the Special Envoy of the Secretary-General, to coordinate closely with the Government of Sierra Leone and the Monitoring Group, to report on the military situation in the country, to ascertain the state of and to assist in the finalization of planning by the Monitoring Group for future tasks, such as the identification of the former combatant elements to be disarmed and the design of a disarmament plan, as well as to perform other related security tasks as identified in paragraphs 42, 45 and 46 of the report of the Secretary-General;

6. *Welcomes* the discussions taking place between the Special Envoy of the Secretary-General, the Government of Sierra Leone and the Monitoring Group on the further elaboration and implementation of the concept of operations of the Monitoring Group, and the intention of the Secretary-General to revert to the Council with further recommendations on the possible deployment in this regard of United Nations military personnel, and expresses its intention to consider such recommendations and take a decision thereon expeditiously;

7. *Urges* all States and international organizations to provide urgent humanitarian assistance to Sierra Leone, in response to the consolidated inter-agency appeal launched on 3 March 1998;

8. *Encourages* all States and international organizations to assist and participate in the longer term tasks of reconstruction and economic and social recovery and development in Sierra Leone;

9. *Urges* all States to make contributions to the trust fund which has been established to support peacekeeping and related activities in Sierra Leone, and to provide technical and logistical support to assist the Monitoring Group to continue to carry out its peacekeeping role;

10. *Requests* the Secretary-General to report to the Council periodically, including on the activities of the military liaison and security advisory personnel referred to in paragraph 5 above and on the work of the office of his Special Envoy in Sierra Leone, within the reporting time-frame in paragraph 16 of resolution 1132 (1997);

11. *Decides* to remain seized of the matter.

Adopted unanimously at the 3872nd meeting.

Decisions

At its 3882nd meeting, on 20 May 1998, the Security Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[247]

> "The Security Council condemns as gross violations of international humanitarian law the recent atrocities carried out against the civilian population of Sierra Leone, particularly women and children, by members of the Revolutionary United Front and the deposed military junta, including widespread rape, mutilation, and slaughter. It calls for an immediate end to all violence against civilians. The Council, in this regard, expresses grave concern about reports of military support being provided to the rebels. It calls upon all States to observe strictly the provisions of resolution 1132 (1997) and to avoid any action that might further destabilize the situation in Sierra Leone.
>
> "The Council deplores the continued resistance to the authority of the legitimate Government of Sierra Leone and calls upon all rebels to cease their resistance, lay down their arms, and surrender to forces the Monitoring Group of the Economic Community of West African States immediately. It again commends the Economic Community of West African States and the Monitoring Group for the important role they are playing to restore peace and security in Sierra Leone. The Council reiterates its call for States to provide technical and logistical support to assist the Monitoring Group to continue to enhance its ability to carry out its peacekeeping role and contribute to bringing an end to the atrocities being committed against the people of Sierra Leone.
>
> "The Council expresses deep concern for the plight of all those affected by the continuing insecurity, including the tens of thousands of refugees and displaced persons. It urges all those concerned to continue humanitarian assistance and underscores the importance of a comprehensive response by United Nations agencies in coordination with the Government of Sierra Leone and with the support of the Monitoring Group. The Council also recognizes the important role played by the international community, including the Organization of African Unity and relevant non-governmental organizations, to provide humanitarian assistance to civilians in dire need in Sierra Leone. The Council commends the Governments of neighbouring countries for their reception of refugees and calls upon all States and relevant international organizations to help them in responding to the refugee crisis.
>
> "The Council expresses concern for the safety of all humanitarian personnel working in Sierra Leone. It calls upon all parties concerned to facilitate the work of humanitarian agencies. The Council urges the parties to protect displaced persons seeking refuge, as well as United Nations and humanitarian aid workers.
>
> "The Council welcomes the efforts made by the democratically elected Government since its return on 10 March 1998 to restore peace and stability and to reestablish effective administration and the democratic

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[247] S/PRST/1998/13.

process in Sierra Leone. It encourages the Economic Community of West African States to renew its political efforts to foster peace and stability and urges all parties in the country to embark on the tasks of national reconstruction, rehabilitation and reconciliation. The Council urges all parties concerned to respect fully international law, including human rights and humanitarian law.

"The Council urges States and other parties concerned to contribute to the trust fund to support peacekeeping and related activities in Sierra Leone, and to humanitarian assistance efforts.

"The Council requests the Secretary-General to keep it advised on the situation in Sierra Leone.

"The Council will remain seized of this matter."

On 26 May 1998, the President of the Council addressed the following letter to the Secretary-General:[248]

"I have the honour to inform you that your letter dated 20 May 1998 concerning your proposal to include India, Kenya, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and Zambia in the list of countries contributing military personnel to the United Nations liaison team in Sierra Leone[249] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

At its 3889th meeting, on 5 June 1998, the Council decided to invite the representative of Sierra Leone to participate, without vote, in the discussion of the item entitled "The situation in Sierra Leone".

Resolution 1171 (1998)
of 5 June 1998

The Security Council,

Recalling its resolutions 1132 (1997) of 8 October 1997, 1156 (1998) of 16 March 1998 and 1162 (1998) of 17 April 1998 and the statements by its President of 26 February[237] and 20 May 1998,[247]

Welcoming the efforts of the Government of Sierra Leone to restore peaceful and secure conditions in the country, to re-establish effective administration and the democratic process, and to promote national reconciliation,

Deploring the continued resistance to the authority of the legitimate Government of Sierra Leone, and stressing the urgency for all rebels to put an end to the atrocities, cease their resistance and lay down their arms,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to terminate the remaining prohibitions imposed by paragraphs 5 and 6 of resolution 1132 (1997);

2. *Also decides*, with a view to prohibiting the sale and supply of arms and related *matériel* to non-governmental forces in Sierra Leone, that all States shall prevent the sale or supply, by their nationals or from their territories, or using their flag vessels or aircraft, of arms and related *matériel* of all types, including weapons and ammunition, military vehicles and equipment, paramilitary equipment and spare parts for the aforementioned, to Sierra Leone other than to the Government of Sierra Leone through named points of entry on a list to be supplied by that Government to the Secretary-General, who shall promptly notify all States Members of the United Nations of the list;

3. *Further decides* that the restrictions referred to in paragraph 2 above shall not apply to the sale or supply of arms and related *matériel* for the sole use in Sierra Leone of the Monitoring Group of the Economic Community of West African States or the United Nations;

4. *Decides* that States shall notify all exports from their territories of arms or related *matériel* to Sierra Leone to the Committee established by resolution 1132 (1997), that the Government of Sierra Leone shall mark, register and notify to the Committee all imports made by it of arms and related *matériel*, and that the Committee shall report regularly to the Council on notifications so received;

5. *Also decides* that all States shall prevent the entry into or transit through their territories of leading members of the former military junta and of the Revolutionary United Front, as designated by the Committee established by resolution 1132 (1997), provided that the entry into or transit through a particular State of any such person may be authorized by the same Committee, and provided that nothing in the present paragraph shall oblige a State to refuse its own nationals entry to its territory;

6. *Further decides* that the Committee established by resolution 1132 (1997) shall continue to undertake the tasks referred to in subparagraphs 10 (*a*), (*b*), (*c*), (*d*), (*f*) and (*h*) of paragraph 10 of that resolution in relation to paragraphs 2 and 5 above;

7. *Expresses its readiness* to terminate the measures referred to in paragraphs 2, 4 and 5 above once the control of the Government of Sierra Leone has been fully re-established over all its territory, and when all non-governmental forces have been disarmed and demobilized;

8. *Requests* the Secretary-General to report to the Council within three months of the date of adoption of the present resolution, and again within six months, regarding, in particular, the export of arms and related *matériel* referred to in paragraph 2 above, and on progress made towards the objectives referred to in paragraph 7 above;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the 3889th meeting

Decision

At its 3902nd meeting, on 13 July 1998, the Security Council decided to invite the representatives of Austria, Nigeria and Sierra Leone to participate, without vote, in the discussion of the item entitled

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[248] S/1998/429.

[249] S/1998/428.

"The situation in Sierra Leone

> "Fifth report of the Secretary-General on the situation in Sierra Leone (S/1998/486 and Add.1)".[250]

Resolution 1181 (1998)
of 13 July 1998

The Security Council,

Recalling its previous relevant resolutions and the statements by its President,

Welcoming the continued efforts of the Government of Sierra Leone to restore peaceful and secure conditions in the country, to re-establish effective administration and the democratic process and to embark on the task of national reconciliation, reconstruction and rehabilitation,

Recognizing the important contribution of the Economic Community of West African States in support of these objectives,

Having considered the report of the Secretary-General of 9 June 1998,[251]

Noting the objectives set by the Economic Community of West African States for its Monitoring Group, as described in paragraph 17 of the report of Secretary-General,

Gravely concerned at the loss of life and immense suffering undergone by the people of Sierra Leone, including refugees and displaced persons, as a result of the continuing rebel attacks, and in particular at the plight of children affected by the conflict,

1. *Condemns* the continued resistance of remnants of the ousted junta and members of the Revolutionary United Front to the authority of the legitimate government and the violence they are perpetrating against the civilian population of Sierra Leone, and demands that they lay down their arms immediately;

2. *Emphasizes* the need to promote national reconciliation in Sierra Leone, encourages all parties in the country to work together towards this objective, and welcomes the assistance of the Secretary-General and his Special Envoy in that regard;

3. *Welcomes* the proposal in the report of the Secretary-General of 9 June 1998[251] on the establishment of the United Nations Observer Mission in Sierra Leone;

4. *Notes* that the Government of Sierra Leone has adopted a disarmament, demobilization and reintegration plan agreed upon with the International Bank for Reconstruction and Development, the United Nations Development Programme and other donors;

5. *Commends* the positive role of the Economic Community of West African States and its Monitoring Group in their efforts to restore peace, security and stability throughout the country at the request of the Government of Sierra Leone, and notes the role of the Monitoring Group in assisting the implementation of the disarmament, demobilization and reintegration plan adopted by the Government, including the provision of security and responsibility for arms collection and destruction;

6. *Decides* to establish the United Nations Observer Mission in Sierra Leone for an initial period of six months until 13 January 1999, and further decides that it shall include up to seventy military observers as well as a small medical unit, with the necessary equipment and civilian support staff, with the following mandate:

(*a*) To monitor the military and security situation in the country as a whole, as security conditions permit, and to provide the Special Representative of the Secretary-General with regular information thereon, in particular with a view to determining when conditions are sufficiently secure to allow subsequent deployments of military observers beyond the first phase described in paragraph 7 below;

(*b*) To monitor the disarmament and demobilization of former combatants concentrated in secure areas of the country, including monitoring of the role of the Monitoring Group in the provision of security and in the collection and destruction of arms in those secure areas;

(*c*) To assist in monitoring respect for international humanitarian law, including at disarmament and demobilization sites, where security conditions permit;

(*d*) To monitor the voluntary disarmament and demobilization of members of the Civil Defence Forces, as security conditions permit;

7. *Decides also* that the elements of the Mission referred to in paragraph 6 above shall be deployed as outlined in the report of the Secretary-General, with approximately forty military observers deployed in the first phase to the areas secured by the Monitoring Group, and that subsequent deployments shall take place as soon as security conditions permit, and subject to progress on the implementation of the disarmament, demobilization and reintegration plan and the availability of the necessary equipment and resources;

8. *Decides further* that the Mission shall be led by the Special Envoy of the Secretary-General, who will be designated Special Representative for Sierra Leone, that the Mission shall subsume the office of the Special Envoy and its civilian staff, and that the augmented civilian staff, as recommended by the Secretary-General in paragraphs 74 and 75 of his report, shall perform, *inter alia*, the following tasks:

(*a*) To advise, in coordination with other international efforts, the Government of Sierra Leone and local police officials on police practice, training, re-equipment and recruitment, in particular on the need to respect internationally accepted standards of policing in democratic societies, to advise on the planning of the reform and restructuring of the Sierra Leone police force, and to monitor progress in that regard;

(*b*) To report on violations of international humanitarian law and human rights in Sierra Leone and, in consultation with the relevant United Nations agencies, to assist the Government of Sierra Leone in its efforts to address the country's human rights needs;

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[250] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*.

[251] Ibid., documents S/1998/486 and Add.1.

9. *Welcomes* the commitment of the Monitoring Group to ensure the security of United Nations personnel, and in this regard welcomes also the intention of the Secretary-General to establish security arrangements for United Nations personnel with the Chairman of the Economic Community of West African States and to conclude a status-of-mission agreement with the Government of Sierra Leone;

10. *Decides* that the elements of the Mission referred to in paragraph 6 above shall be deployed when the Secretary-General informs the Council that security arrangements and the status-of-mission agreement have been concluded, and further decides to keep the deployment of the Mission under review in the light of the prevailing security conditions;

11. *Stresses* the need for full cooperation and close coordination between the Mission and the Monitoring Group in their respective operational activities;

12. *Demands* that all factions and forces in Sierra Leone strictly respect the status of Mission personnel, as well as organizations and agencies delivering humanitarian assistance throughout Sierra Leone, and that they respect human rights and abide by applicable rules of international humanitarian law;

13. *Expresses its serious concern* at the reports of cross-border arms flows and support to the rebels in Sierra Leone, welcomes the intention of the Secretary-General, as indicated in his report, to pursue with all parties concerned steps to eliminate these activities, and in that regard reaffirms the obligation of all States to comply strictly with the terms of the embargo on the sale or supply of arms and related *matériel* to Sierra Leone imposed by resolution 1171 (1998) of 5 June 1998, and to bring all instances of violations of the arms embargo before the Committee established by resolution 1132 (1997) of 8 October 1997;

14. *Welcomes* the efforts of the Government of Sierra Leone to coordinate an effective national response to the needs of children affected by armed conflict, and the recommendation of the Special Representative of the Secretary-General for Children and Armed Conflict that Sierra Leone be made one of the pilot projects for a more concerted and effective response to the needs of children in the context of post-conflict peace-building;

15. *Welcomes also* the decision of the Secretary-General to convene a high-level conference to mobilize assistance for peacekeeping activities, emergency and humanitarian needs and reconstruction and rehabilitation in Sierra Leone;

16. *Reiterates its urgent appeal* to States to make contributions to the trust fund which has been established to support peacekeeping and related activities in Sierra Leone, to provide technical and logistical support to assist the Monitoring Group to carry out its peacekeeping role, and to help to facilitate the provision by other States members of the Economic Community of West African States of additional troops to strengthen the deployment of the Monitoring Group in Sierra Leone;

17. *Urges* all States and international organizations to provide urgent humanitarian assistance to Sierra Leone, in response to the consolidated inter-agency appeal launched on 24 June 1998;

18. *Encourages* all States and international organizations to assist and participate in the longer term tasks of reconstruction and economic and social recovery and development in Sierra Leone;

19. *Requests* the Secretary-General to submit an initial report to the Council within thirty days of the adoption of this resolution and every sixty days thereafter on the deployment of the Mission and on its progress in carrying out its mandate, and also to inform the Council on plans for the later phases of the deployment of the Mission when security conditions permit these to be implemented;

20. *Decides* to remain seized of the matter.

Adopted unanimously at the 3902nd meeting.

Decisions

On 21 July 1998, the President of the Security Council addressed the following letter to the Secretary-General:[172]

> "I have the honour to inform you that your letter dated 16 July 1998 concerning your proposal to include China, Egypt, India, Kenya, Kyrgyzstan, New Zealand, Pakistan, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and Zambia in the list of countries contributing military personnel to the United Nations Observer Mission in Sierra Leone[173] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter. The members of the Council also take note that Brigadier General Subhash C. Joshi, of India, will be the Chief Military Observer of the Mission."

On 5 August 1998, the President of the Security Council addressed the following letter to the Secretary-General:[174]

> "I have the honour to inform you that your letter dated 3 August 1998 concerning the establishment of security arrangements for United Nations personnel with the Chairman of the Economic Community of West African States and the conclusion of the status-of-mission agreement with the Government of Sierra Leone[175] has been brought to the attention of the members of the Security Council. They take note of the information regarding the implementation of paragraphs 9 and 10 of resolution 1181 (1998) contained in your letter."

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[172] S/1998/674.

[173] S/1998/673.

[174] S/1998/715.

[175] S/1998/714.

At its 3957th meeting, on 18 December 1998, the Council considered the item entitled:

> "The situation in Sierra Leone
>
> "Third progress report of the Secretary-General on the United Nations Observer Mission in Sierra Leone (S/1998/1176)".[256]

At the same meeting, the Council decided to extend an invitation, under rule 39 of the provisional rules of procedure, to the Under-Secretary-General for Peacekeeping Operations.

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[256] See *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998.*

EXCHANGE OF LETTERS BETWEEN THE SECRETARY-GENERAL AND THE PRESIDENT OF THE SECURITY COUNCIL CONCERNING THE INDIA-PAKISTAN QUESTION

Decision

On 9 March 1998, the President of the Security Council addressed the following letter to the Secretary-General:[257]

> "I have the honour to inform you that your letter dated 3 March 1998 concerning your intention to appoint Brigadier General Sergio Hernán Espinosa Davies, of Chile, as the next Chief Military Observer of the United Nations Military Observer Group in India and Pakistan[258] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

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[257] S/1998/212.

[258] S/1998/211.

LETTERS DATED 20 AND 23 DECEMBER 1991, FROM FRANCE, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND AND THE UNITED STATES OF AMERICA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1992.*]

Decisions

At its 3864th meeting, on 20 March 1998, the Security Council decided to invite the representatives of Algeria, Colombia, Cuba, the Democratic People's Republic of Korea, Egypt, Ghana, Guinea-Bissau, India, Indonesia, the Islamic Republic of Iran, Iraq, Jordan, Kuwait, the Lao People's Democratic Republic, Lebanon, the Libyan Arab Jamahiriya, Malaysia, Mali, Malta, Mauritania, Morocco, Namibia, Nigeria, Oman, Pakistan, Qatar, the Sudan, the Syrian Arab Republic, Tunisia, Uganda, the United Arab Emirates, the United Republic of Tanzania, Viet Nam, Yemen and Zimbabwe to participate, without vote, in the discussion of the item entitled "Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/23306, S/23307, S/23308, S/23309 and S/23317)".[259]

At the same meeting, the Council decided, at the request of the representative of Indonesia,[260] to extend an invitation to Mr. Mahamadou Abou, Deputy Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the provisional rules of procedure of the Council.

Also at the same meeting, the Council decided, at the request of the representative of Bahrain,[261] to extend an invitation to Mr. Hussein A. Hassouna, Permanent Observer of the League of Arab States to the United Nations, under rule 39 of the provisional rules of procedure.

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[259] See *Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991.*

[260] Document S/1998/251, incorporated in the record of the 3864th meeting.

[261] Document S/1998/252, incorporated in the record of the 3864th meeting.

Also at the same meeting, the Council decided, at the request of the representative of Gabon,[262] to extend an invitation to Mr. Amadou Kebe, Permanent Observer of the Organization of African Unity to the United Nations, under rule 39 of the provisional rules of procedure.

At its 3920th meeting, on 27 August 1998, the Council decided to invite the representatives of the Libyan Arab Jamahiriya and the Netherlands to participate, without vote, in the discussion of the item entitled:

> "Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America (S/23306, S/23307, S/23308, S/23309 and S/23317)[259]
>
>> "Letter dated 24 August 1998 from the Acting Permanent Representatives of the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General (S/1998/795)".[263]

Resolution 1192 (1998) of 27 August 1998

The Security Council,

Recalling its resolutions 731 (1992) of 21 January 1992, 748 (1992) of 31 March 1992 and 883 (1993) of 11 November 1993,

Taking note of the report of the independent experts appointed by the Secretary-General,[264]

Having regard to the contents of the letter dated 24 August 1998 from the Acting Permanent Representatives of the United Kingdom of Great Britain and Northern Ireland and of the United States of America to the Secretary-General,[265]

Noting, in the light of the above-mentioned resolutions, the communications of the Organization of African Unity, the League of Arab States, the Movement of Non-Aligned Countries and the Islamic Conference[266] as referred to in the letter dated 24 August 1998,

Acting under Chapter VII of the Charter of the United Nations,

1. *Demands once again* that the Libyan Government immediately comply with the above-mentioned resolutions;

2. *Welcomes* the initiative for the trial of the two persons charged with the bombing of Pan Am flight 103 ("the two accused") before a Scottish court sitting in the Netherlands, as contained in the letter dated 24 August 1998 from the Acting Permanent Representatives of the United Kingdom of Great Britain and Northern Ireland and of the United States of America ("the initiative")[265] and the attachments thereto, and the willingness of the Government of the Netherlands to cooperate in the implementation of the initiative;

3. *Calls upon* the Government of the Netherlands and the Government of the United Kingdom to take such steps as are necessary to implement the initiative, including the conclusion of arrangements with a view to enabling the court described in paragraph 2 above to exercise jurisdiction in the terms of the intended agreement between the two Governments, attached to the said letter dated 24 August 1998;

4. *Decides* that all States shall cooperate to this end and, in particular, that the Libyan Government shall ensure the appearance in the Netherlands of the two accused for the purpose of trial by the court described in paragraph 2 above, and that the Libyan Government shall ensure that any evidence or witnesses in Libya are, upon the request of the court, promptly made available at the court in the Netherlands for the purpose of the trial;

5. *Requests* the Secretary-General, after consultation with the Government of the Netherlands, to assist the Libyan Government with the physical arrangements for the safe transfer of the two accused from Libya direct to the Netherlands;

6. *Invites* the Secretary-General to nominate international observers to attend the trial;

7. *Decides* that, on the arrival of the two accused in the Netherlands, the Government of the Netherlands shall detain the two accused pending their transfer for the purpose of trial before the court described in paragraph 2 above;

8. *Reaffirms* that the measures set forth in its resolutions 748 (1992) and 883 (1993) remain in effect and binding on all Member States, and in this context reaffirms the provisions of paragraph 16 of resolution 883 (1993), and decides that the aforementioned measures shall be suspended immediately if the Secretary-General reports to the Council that the two accused have arrived in the Netherlands for the purpose of trial before the court described in paragraph 2 above or have appeared for trial before an appropriate court in the United Kingdom or the United States, and that the Libyan Government has satisfied the French judicial authorities with regard to the bombing of UTA 772;

9. *Expresses its intention* to consider additional measures if the two accused have not arrived or appeared for trial promptly in accordance with paragraph 8 above;

10. *Decides* to remain seized of the matter.

Adopted unanimously at the
3920th meeting.

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[262] Document S/1998/253, incorporated in the record of the 3864th meeting.

[263] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*.

[264] Ibid., *Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/991, annex.

[265] Ibid., *Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/795.

[266] Ibid., *Forty-ninth Year, Supplement for January, February and March 1994*, document S/1994/373; ibid., *Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/834; ibid., *Fifty-second Year, Supplement for January, February and March 1997*, document S/1997/35; ibid., *Supplement for April, May and June 1997*, documents S/1997/273 and S/1997/497; and ibid., *Supplement for July, August and September 1997*, documents S/1997/406 and Add.1 and S/1997/529.

THE QUESTION CONCERNING HAITI

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.]

Decisions

At its 3866th meeting, on 25 March 1998, the Security Council decided to invite the representative of Haiti to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Civilian Police Mission in Haiti (S/1998/144)".[267]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[268]

> "The Security Council recalls its resolution 1141 (1997) of 28 November 1997 and welcomes the report of the Secretary-General of 20 February 1998 on the United Nations Civilian Police Mission in Haiti.[269]
>
> "The Council commends the achievements of the Representative of the Secretary-General in Haiti, United Nations staff and the civilian police officers of the Mission in Haiti. It notes with appreciation the important contributions made by the United Nations Development Programme and the International Civilian Mission in Haiti.
>
> "The Council welcomes the progress made by the Haitian people towards the establishment of a durable democratic and constitutional system. It also welcomes the sustained improvement in security and stability in Haiti. The Council agrees with the Secretary-General in his assessment of the Haitian National Police, as expressed in his recent report.[269] It also welcomes the significant progress made by the Haitian National Police, as mentioned in the report of the Secretary-General, and expresses confidence that activities of the Civilian Police Mission will continue to build on the achievements of previous United Nations missions in Haiti and to further the professional development of the Haitian National Police. The Council expresses the hope that achievements of the Haitian National Police will be matched by progress in other areas, including the development of a functioning judicial system, and in this regard recognizes the importance of judicial reform.
>
> "The Council reaffirms that further assistance to the Haitian National Police, should it be needed, should be provided with the full support of the international community through the specialized agencies and programmes of the United Nations system, through other international organizations and regional organizations and by interested Member States.
>
> "The Council reaffirms also that the people and Government of Haiti bear the ultimate responsibility for national reconciliation, the maintenance of a secure and stable environment, the administration of justice and the reconstruction of their country. It emphasizes the importance of Haiti's continuing to settle its contentious issues peacefully and democratically. It expresses the view that a prompt solution of these issues in Haiti will facilitate economic development and the provision of international assistance. It fully supports the appeal of the Secretary-General to Haitian authorities and political leaders to resolve Haiti's political impasse so that the country can move forward and welcomes current efforts undertaken to this end.
>
> "The Council stresses that it is of the utmost importance that the next parliamentary and local elections in Haiti be conducted in a free, fair and transparent manner in order to allow the broadest possible voter participation, consistent with Haitian law. It notes that a substantial effort will be required to ensure the success of these vitally important elections. The Council looks forward to the steps taken by the Government of Haiti in this regard and urges the international community to be ready to provide electoral assistance as may be requested.
>
> "The Council recognizes that economic rehabilitation and reconstruction constitute the major tasks facing the Haitian Government and people and stresses that a sustained commitment by the international community and the international financial institutions, as well as the relevant United Nations bodies, to assist and support economic, social and institutional development in Haiti is indispensable for long-term sustainable development in the country. It commends the efforts of those organizations and countries currently involved in meeting these needs and encourages them to coordinate their activities.
>
> "The Council will remain seized of this matter."

At its 3949th meeting, on 25 November 1998, the Council decided to invite the representatives of Argentina, Canada, Chile, Haiti and Venezuela to participate, without vote, in the discussion of the item entitled:

"The question concerning Haiti

> "Report of the Secretary-General on the United Nations Civilian Police Mission in Haiti (S/1998/796)".[270]

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[267] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[268] S/PRST/1998/8.

[269] *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/144.

[270] Ibid., *Supplement for July, August and September 1998.*

"Report of the Secretary-General on the United Nations Civilian Police Mission in Haiti (S/1998/1064)".[273]

Resolution 1212 (1998)
of 25 November 1998

The Security Council,

Recalling all its relevant resolutions, in particular resolution 1141 (1997) of 28 November 1997, and those adopted by the General Assembly,

Taking note of the request of 22 October 1998 from the President of the Republic of Haiti to the Secretary-General,[274]

Taking note also of the reports of the Secretary-General of 24 August[275] and 11 November 1998,[276] and the recommendations contained therein,

Commending the role of the United Nations Civilian Police Mission in Haiti in assisting the Government of Haiti by supporting and contributing to the professionalization of the Haitian National Police, and expressing its appreciation to all Member States which have contributed to the Civilian Police Mission,

Commending also the role of the Representative of the Secretary-General in Haiti in the coordination of activities by the United Nations system to promote institution-building, national reconciliation and economic rehabilitation in Haiti,

Noting the key role played to date by the United Nations civilian police, the International Civilian Mission in Haiti and the technical assistance of the United Nations Development Programme, as well as bilateral programmes, in helping to establish a fully functioning Haitian National Police Force of adequate size and structure as an integral element of the consolidation of democracy and the revitalization of Haiti's system of justice, and in this context, stressing the importance of the reform of Haiti's system of justice for the successful development of the Haitian National Police, and welcoming continued progress towards the professionalization of the Haitian National Police and towards fulfilment of the May 1997 "Haitian National Police development plan for 1997–2001",

Stressing the link between peace and development, noting that significant international assistance is indispensable for sustainable development in Haiti, and stressing that a sustained commitment by the international community and the international financial institutions to assist and support the economic, social and institutional development in Haiti is indispensable for long-term peace and security in the country,

Expressing deep concern over the prolonged political stalemate, which presents considerable risks for peace and development,

Expressing its deep regret that this political stalemate has not yet made possible the transfer of the activities of the Civilian Police Mission to other forms of international assistance,

Recognizing that the people and the Government of Haiti bear the ultimate responsibility for national reconciliation, the maintenance of a secure and stable environment, the administration of justice, and the reconstruction of their country,

1. *Reaffirms* the importance of a professional, self-sustaining, fully functioning national police of adequate size and structure, able to conduct the full spectrum of police functions, for the consolidation of democracy and the revitalization of Haiti's system of justice, and encourages Haiti to pursue actively its plans in these respects;

2. *Decides*, further to paragraph 1 above, and at the request of the President of the Republic of Haiti, to extend until 30 November 1999 the present mandate, including the concept of operation, of the United Nations Civilian Police Mission in Haiti, in order to continue to assist the Government of Haiti by supporting and contributing to the professionalization of the Haitian National Police in accordance with the arrangements set out in paragraph 32 of the report of the Secretary-General of 11 November 1998,[276] including monitoring the field performance of the Haitian National Police and strengthening the capability of the central directorate of the police force to manage aid provided to it from bilateral and multilateral sources;

3. *Affirms* that future international assistance to the Haitian National Police should be considered through specialized agencies and programmes of the United Nations system, in particular the United Nations Development Programme, and through other international and regional organizations and by Member States;

4. *Requests* Member States to provide appropriate support for the actions undertaken by the United Nations and by Member States pursuant to the present and other relevant resolutions in order to carry out the provisions of the mandate referred to in paragraph 2 above;

5. *Underlines* the importance of full coordination among multilateral and bilateral contributors in order to assure the effective allocation of international assistance provided to the Haitian National Police, and requests the Representative of the Secretary-General in Haiti to work closely with Member States to ensure that bilateral and multilateral efforts are complementary;

6. *Strongly urges* the Haitian authorities and political leaders to fulfil their responsibilities and to negotiate urgently an end to the crisis in a spirit of tolerance and compromise;

7. *Calls upon* the Haitian authorities to pursue the reform and strengthening of Haiti's system of justice, in particular its penal institutions;

8. *Emphasizes* that economic rehabilitation and reconstruction constitute the major tasks facing the Haitian Government and people and that significant international assistance is indispensable for sustainable development in Haiti, stresses the commitment of the international community

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[273] Ibid., *Supplement for October, November and December 1998*.

[274] Ibid., document S/1998/1003, annex.

[275] Ibid., *Supplement for July, August and September 1998*, document S/1998/796.

[276] Ibid., *Supplement for October, November and December 1998*, document S/1998/1064.

to a long-term programme of support for Haiti, and invites United Nations bodies and agencies, especially the Economic and Social Council, to contribute to the designing of such a programme;

9. *Requests* all States to make voluntary contributions to the trust fund established pursuant to resolution 975 (1995) of 30 January 1995 for the Haitian National Police, in particular for the recruitment and deployment by the United Nations Development Programme of police advisers to assist the Inspector General, Directorate General and department headquarters of the Haitian National Police;

10. *Requests* the Secretary-General to report to the Security Council on the implementation of the present resolution every three months from the date of its adoption until the mandate of the Civilian Police Mission expires on 30 November 1999;

11. *Expresses its intention* not to extend the Civilian Police Mission beyond 30 November 1999, and requests the Secretary-General to make recommendations on a viable transition to other forms of international assistance in his second report referred to in paragraph 10 above, for the consideration of the Security Council, taking into account the need to preserve the progress made in the reform of the Haitian National Police and to strengthen further United Nations support for the consolidation of democracy, respect for human rights and the maintenance of law and order in Haiti;

12. *Decides* to remain seized of the matter.

Adopted at the 3949th meeting
by 13 votes to none, with 2 abstentions
(China and Russian Federation)

THE SITUATION IN AFGHANISTAN

[Resolutions or decisions on this question were also adopted by the Security Council in 1994, 1996 and 1997.]

Decisions

At its 3869th meeting, on 6 April 1998, the Security Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General (S/1998/222)".[275]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[276]

> "The Security Council has considered the report of the Secretary-General of 17 March 1998 concerning the situation in Afghanistan.[277]
>
> "The Council expresses its grave concern at the continued Afghan war, which is a serious threat to regional and international security and causes extensive human suffering, further destruction, refugee flows and other forcible displacement of large numbers of people.
>
> "The Council is concerned by the increasingly ethnic nature of the conflict, by reports of persecution based on ethnic origin, and by the threat this poses to the unity of the Afghan State.
>
> "The Council urges all Afghan parties to stop the fighting, to agree immediately on a ceasefire, and to engage without preconditions in a political dialogue aimed at achieving national reconciliation, a lasting political settlement of the conflict, which has no military solution, and the formation of a broad-based and fully representative government.
>
> "The Council reaffirms its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and respect for its cultural and historical heritage.
>
> "The Council deplores the fact that foreign interference in Afghanistan continues unabated in the form of the supply of war-making materials to the factions. It also deplores the active political and military support from outside Afghanistan to the factions, thereby reinforcing the reluctance of faction leaders to engage in serious political dialogue with one another. The Council reiterates its call to all States to stop such interference immediately.
>
> "The Council notes with concern that all the Afghan parties have been actively engaged in arms replenishment throughout the last months, warns the conflicting parties that the resumption of large-scale fighting will seriously undermine the attempts of the international community to assist them in finding a political solution to the conflict and urges them to live up to their declared desire for such a solution.
>
> "The Council reiterates its position that the United Nations, as a universally recognized intermediary, must continue to play its central and impartial role in international efforts towards a peaceful resolution of the Afghan conflict and extends its full support for the activities of the United Nations Special Mission to Afghanistan and those of the Special Envoy of the Secretary-General for Afghanistan, particularly in his current mission in the region.
>
> "The Council commends the consolidation of the process, initiated by the Special Envoy with the convening of the 'six plus two' group, and calls upon all

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[275] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998.*

[276] S/PRST/1998/9.

[277] *Official Records of Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/222.

countries involved in it to continue to participate in its work in good faith, including in the discussion to devise effective and impartial ways to curb the flow of arms and other war-making materials into Afghanistan. The Security Council welcomes the support of other Member States for this process.

"The Council is deeply concerned by the deteriorating security conditions for United Nations and humanitarian personnel and calls upon all Afghan factions, in particular the Taliban, to take necessary steps to assure their safety.

"The Council remains deeply concerned at the continuing discrimination against girls and women and other violations of human rights as well as violations of international humanitarian law in Afghanistan.

"The Council supports the steps of the Secretary-General to launch investigations into alleged mass killings of prisoners of war and civilians in Afghanistan, the outcome of which will be submitted to the General Assembly and the Security Council as soon as it becomes available.

"The Council is also concerned with the sharp deterioration of the humanitarian situation in several areas in central and northern Afghanistan, which is caused by the Taliban-imposed blockade of the Bamyan region remaining in place despite appeals by the United Nations and several of its Member States to lift it, as well as by the lack of supplies coming in from the northern route owing to insecurity and looting. The Council strongly urges the Taliban to let the humanitarian agencies attend to the needs of the population.

"The Council reiterates that the continuation of the conflict in Afghanistan provides a fertile ground for terrorism and illegal drug production and trafficking, which destabilize the region and beyond, and calls upon the leaders of the Afghan parties to halt such activities.

"The Council will remain seized of the matter and requests the Secretary-General to continue to keep it regularly informed of the situation in Afghanistan."

At its 3906th meeting, on 14 July 1998, the Council considered the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General (S/1998/532)".[278]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[279]

"The Security Council has considered the report of the Secretary-General of 19 June 1998 concerning the situation in Afghanistan.[280]

"The Council reaffirms its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and respect for its cultural and historical heritage. It reiterates its concern at the increasingly ethnic nature of the conflict, and at the continuing threat this poses to the unity of the Afghan State.

"The Council expresses its grave concern at the continued Afghan conflict, which is a serious threat to regional and international security, and causes extensive human suffering, further destruction, refugee flows and other forcible displacement of large numbers of people.

"The Council deplores the fact that military support, including the supply of arms and other related *materiel*, from outside Afghanistan to the warring factions continues unabated, despite repeated pleas to halt it made by the Council, the General Assembly and the Secretary-General. It reiterates its call to all States, in particular those in the region, to cease such interference immediately.

"The Council considers it necessary that more active efforts be undertaken under the aegis of the United Nations and with the participation of interested countries aimed at a peaceful settlement of the Afghan conflict, taking into account the interests of all ethnic and religious groups and political forces involved therein.

"The Council deplores the breakdown of the intra-Afghan talks in Islamabad and calls upon the parties to respect the wishes of the overwhelming majority of Afghans, to stop the fighting, to return without delay and preconditions to the negotiating table and to engage in a political dialogue aimed at achieving national reconciliation, a lasting political settlement of the conflict, which has no military solution, and the formation of a broad-based and fully representative government. As an initial step towards that goal, the Council calls upon the parties to agree immediately on a ceasefire, an exchange of prisoners, and the lifting of all restrictions on the shipments of humanitarian supplies throughout the country.

"The Council reiterates its position that the United Nations, as a universally recognized intermediary, must continue to play its central and impartial role in international efforts towards a peaceful resolution of the Afghan conflict, and extends its full support for the activities of the United Nations Special Mission to Afghanistan and those of the Special Envoy of the Secretary-General for Afghanistan.

"The Council takes note of the assessment of the Secretary-General that *loya jirgah*, as an informal, time-honoured Afghan method of settling disputes, advocated by some leaders of non-warring Afghan factions, continues to deserve attention, and encourages the Special Mission to continue to maintain useful contacts with them.

"The Council commends the work of the 'six plus two' group and calls upon all countries involved in the group to continue to participate in good faith with the aim of elaborating, on the basis of the agreed talking points, a coherent approach to the peacemaking efforts in Afghanistan, including the problem of curbing the flow of arms and other related *materiel* into Afghanistan in an effective and even-handed manner. It welcomes and encourages the additional support of other Member States for this process.

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[278] Ibid., *Supplement for April, May and June 1998*.

[279] S/PRST/1998/22.

[280] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/532.

"The Council urges all Afghan factions to cooperate fully with the Special Mission and international humanitarian organizations and calls upon them, in particular the Taliban, to take all necessary steps to assure the safety and freedom of movement of such personnel.

"The Council acknowledges the signing of the memorandum of understanding between the United Nations and the Taliban on humanitarian issues and stresses the importance of its full implementation, including full respect for immunities of United Nations staff and for the assistance of the United Nations in health and education. Noting that some of the obstacles to the provision of assistance to Hazarajat have been overcome, it nevertheless remains concerned at the continuing use by the Taliban of United Nations humanitarian aid as a weapon against the Hazara and demands that this practice cease immediately. The Council also remains concerned at the lack of supplies coming from the northern route due to insecurity and looting. It calls upon all Afghan factions to lift unconditionally any blockade of humanitarian relief supplies.

"The Council is concerned at recent reports of harassment of humanitarian organizations and at the unilateral decision by the Taliban to relocate humanitarian organizations' offices in Kabul. It calls upon all factions to facilitate the work of humanitarian agencies to the greatest extent possible.

"The Council remains deeply concerned at the continuing discrimination against girls and women and other violations of human rights as well as violations of international humanitarian law in Afghanistan.

"The Council supports the steps of the Secretary-General to launch investigations into alleged mass killings of prisoners of war and civilians in Afghanistan, the outcome of which will be submitted to the General Assembly and the Council as soon as it becomes available.

"The Council reiterates that the continuation of the conflict in Afghanistan provides a fertile ground for terrorism and illegal drug production and trafficking which destabilize the region and beyond, and calls upon the leaders of the Afghan parties to halt such activities.

"The Council will remain seized of the matter and requests the Secretary-General to continue to keep it regularly informed of the situation in Afghanistan."

At its 3914th meeting, on 6 August 1998, the Council decided to invite the representative of Afghanistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[29]

"The Security Council expresses its grave concern at the new sharp escalation of the military confrontation in Afghanistan, which is a growing threat to regional and international peace and security, and demands an urgent and unconditional ceasefire leading to final end to the hostilities.

"The Council reiterates that the Afghan crisis can be settled only by peaceful means, through direct negotiations between the Afghan factions under United Nations auspices, aimed at achieving mutually acceptable solutions accommodating the rights and interests of all ethnic, religious and political groups of Afghan society.

"The Council calls upon all Afghan parties to return to the negotiating table without delay and preconditions and to cooperate with the aim of creating a broad-based and fully representative government, which would protect the rights of all Afghans and observe the international obligations of Afghanistan. The Council calls upon all States neighbouring Afghanistan and other States with influence in Afghanistan to intensify their efforts under the aegis of the United Nations to bring the parties to a negotiated settlement.

"The Council demands that the Afghan parties and those countries concerned observe fully the provisions of the relevant resolutions on Afghanistan adopted by the General Assembly and the Council.

"The Council calls upon all States to refrain from any outside interference in the internal affairs of Afghanistan, including the involvement of foreign military personnel. It reiterates that any such interference from abroad should cease immediately and calls upon all States to end the supply of arms and ammunition to all parties to the conflict and to take resolute measures to prohibit their military personnel from planning and participating in combat operations in Afghanistan.

"The Council is deeply concerned at the serious humanitarian crisis in Afghanistan. It calls upon all Afghan parties and, in particular, the Taliban, to take the necessary steps to secure the uninterrupted supply of humanitarian aid to all in need of it and in this connection not to create impediments to the activities of the United Nations humanitarian agencies and international humanitarian organizations. The Council condemns the killing of the two Afghan staff members of the World Food Programme and the Office of the United Nations High Commissioner for Refugees in Jalalabad.

"The Council once again urges all Afghan factions to cooperate fully with the United Nations Special Mission to Afghanistan and international humanitarian organizations and calls upon them, in particular the Taliban, to take the necessary steps to assure the safety and freedom of movement of such personnel. The Council deplores the measures taken by the Taliban, which have made it impossible for nearly all international humanitarian organizations to continue their work in Kabul. It supports the efforts of the office of the coordinator for humanitarian affairs in its current talks with the Taliban in order to ensure adequate conditions for the delivery of aid by humanitarian organizations.

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[29] S/PRST/1998/24.

"The Council remains deeply concerned at the continuing discrimination against girls and women and other violations of human rights as well as violations of international humanitarian law in Afghanistan.

"The Council calls upon all parties to respect international conventions regarding the treatment of prisoners of war and the rights of non-combatants.

"The Council will remain seized of the matter."

At its 3921st meeting, on 28 August 1998, the Council decided to invite the representatives of Afghanistan, Austria, India, the Islamic Republic of Iran, Kazakhstan, Kyrgyzstan, Pakistan, Tajikistan, Turkey and Uzbekistan to participate, without vote, in the discussion of the item entitled "The situation in Afghanistan".

Resolution 1193 (1998)
of 28 August 1998

The Security Council,

Having considered the situation in Afghanistan,

Recalling its resolution 1076 (1996) of 22 October 1996 and the statements by the President of the Security Council on the situation in Afghanistan,

Recalling also General Assembly resolutions 52/211 A and B of 19 December 1997,

Expressing its grave concern at the continued Afghan conflict which has recently escalated sharply as a result of the offensive by the Taliban forces in the northern parts of the country, causing a serious and growing threat to regional and international peace and security, as well as extensive human suffering, further destruction, refugee flows and other forcible displacement of large numbers of people,

Concerned by the increasingly ethnic nature of the conflict, by reports of ethnic and religion-based persecution, particularly against the Shiites, and by the threat this poses to the unity of the Afghan State,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for its cultural and historical heritage,

Deploring the fact that despite repeated pleas by the Council, the General Assembly and the Secretary-General to halt foreign interference in Afghanistan, including the involvement of foreign military personnel and the supply of arms and ammunition to all parties in the conflict, such interference continues unabated,

Reiterating its view that the United Nations must continue to play its central and impartial role in international efforts towards a peaceful resolution of the Afghan conflict,

Deeply concerned at the serious humanitarian crisis in Afghanistan, and deploring in this regard the measures taken by the Taliban which resulted in the evacuation of the United Nations humanitarian personnel from Afghanistan, and expressing hope for their early return under conditions of security,

Expressing its grave concern at the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif and at the fate of the personnel of the Consulate-General and of other Iranian nationals missing in Afghanistan,

Deeply disturbed by the deteriorating security conditions for United Nations and other international and humanitarian personnel,

Deeply concerned at the continuing presence of terrorists in the territory of Afghanistan and at the production and trafficking of drugs,

Remaining deeply concerned at the continuing discrimination against girls and women and at other violations of human rights and of international humanitarian law in Afghanistan,

1. *Reiterates* that the Afghan crisis can be settled only by peaceful means, through direct negotiations between the Afghan factions under United Nations auspices, aimed at achieving a solution accommodating the rights and interests of all Afghans, and stresses that territorial gains through military operations will neither lead to a durable peace in Afghanistan, nor contribute to a comprehensive settlement of the conflict in this multicultural and multi-ethnic country;

2. *Demands* that all Afghan factions stop fighting, resume negotiations without delay and preconditions, and cooperate with the aim of creating a broad-based and fully representative government, which would protect the rights of all Afghans and would observe the international obligations of Afghanistan;

3. *Reiterates once again* that any outside interference in the internal affairs of Afghanistan should cease immediately, and calls upon all States to take resolute measures to prohibit their military personnel from planning and participating in military operations in Afghanistan and immediately to end the supply of arms and ammunition to all parties to the conflict;

4. *Calls upon* all States neighbouring Afghanistan and other States with influence in the country to intensify their efforts under the aegis of the United Nations to bring the parties to a negotiated settlement;

5. *Reaffirms its full support* for the efforts of the United Nations, in particular the activities of the United Nations Special Mission to Afghanistan and those of the Special Envoy of the Secretary-General for Afghanistan, in facilitating the political process towards the goals of national reconciliation and a lasting political settlement with the participation of all parties to the conflict and all segments of Afghan society;

6. *Condemns* the attacks on the United Nations personnel in the Taliban-held territories of Afghanistan,

including the killing of the two Afghan staff members of the World Food Programme and the Office of the United Nations High Commissioner for Refugees in Jalalabad, and of the Military Adviser to the Special Mission in Kabul, and calls upon the Taliban to investigate urgently these heinous crimes and to keep the United Nations informed about the results of the investigation;

7. *Demands* that all Afghan factions and, in particular, the Taliban, do everything possible to assure the safety and freedom of movement of the personnel of the United Nations and other international and humanitarian personnel;

8. *Condemns* the capture of the Consulate-General of the Islamic Republic of Iran in Mazar-e-Sharif, and demands that all parties and, in particular, the Taliban, do everything possible to ensure safe and dignified passage out of Afghanistan of the personnel of the Consulate-General and other Iranian nationals missing in Afghanistan;

9. *Urges* all Afghan factions and, in particular, the Taliban, to facilitate the work of the international humanitarian organizations and to ensure unimpeded access and adequate conditions for the delivery of aid by such organizations to all in need of it;

10. *Appeals* to all States, organizations and programmes of the United Nations system, specialized agencies and other international organizations to resume the provision of humanitarian assistance to all in need of it in Afghanistan as soon as the situation on the ground permits;

11. *Expresses its readiness* to call, on a priority basis, for all possible financial, technical and material assistance for the reconstruction of Afghanistan once the conditions are established by the achievement of a lasting peaceful solution of the Afghan conflict, and for the voluntary, safe and secure return of refugees and internally displaced persons;

12. *Reaffirms* that all parties to the conflict are bound to comply with their obligations under international humanitarian law and, in particular, the Geneva Conventions of 12 August 1949,[282] and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches;

13. *Requests* the Secretary-General to continue investigations into alleged mass killings of prisoners of war and civilians as well as the forced displacement of large groups of the population based on their ethnic origin and other forms of mass persecution in Afghanistan, and to submit the reports to the General Assembly and the Council as soon as they become available;

14. *Urges* the Afghan factions to put an end to the discrimination against girls and women and to other violations of human rights, as well as violations of international humanitarian law, and to adhere to the internationally accepted norms and standards in this sphere;

15. *Demands* that the Afghan factions refrain from harbouring and training terrorists and their organizations and halt illegal drug activities;

16. *Reminds* all parties of the obligation to abide strictly by the decisions of the Council, and expresses its firm intention, in accordance with its responsibility under the Charter of the United Nations, to consider such further steps as may be required for the implementation of the present resolution;

17. *Requests* the Secretary-General to continue to keep it regularly informed of the situation in Afghanistan;

18. *Decides* to remain actively seized of the matter.

Adopted unanimously at the
3921st meeting.

Decisions

At its 3926th meeting, on 15 September 1998, the Security Council considered the item entitled "The situation in Afghanistan".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[283]

> "The Security Council strongly condemns the murder of Iranian diplomats in Afghanistan by Taliban combatants. This was a crime committed in flagrant violation of international law and despite repeated assurances by the Taliban leaders guaranteeing the safety and security of the personnel of foreign missions in Mazar-e-Sharif. The killing of Iranian diplomats by Taliban combatants has seriously increased tension in the region.
>
> "The Council expresses its deepest condolences to the families of the Iranian diplomats and to the Government of the Islamic Republic of Iran. It believes that this criminal act should be fully investigated with the participation of the United Nations with a view to prosecuting those responsible. The Council demands that the Taliban release other Iranians detained in Afghanistan and ensure their safe and dignified passage out of Afghanistan without further delay.
>
> "The Council recalls its condemnation of the murders of members of the United Nations Special Mission to Afghanistan and the personnel of humanitarian agencies in areas controlled by the Taliban and demands that these crimes be investigated and the Taliban ensure the safety and security of all international personnel.
>
> "The Council expresses its deep concern at the escalating military operations in the Bamyan province and at reports of mass killings of civilians in northern Afghanistan. It demands that the Taliban fully respect international humanitarian law and human rights.
>
> "The Council calls upon all concerned to exercise maximum restraint. It also calls upon the parties, in particular the Taliban, to take action in response to the strong concerns expressed by the international community, to stop fighting and resume negotiations

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[282] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[283] S/PRST/1998/27.

aimed at achieving a peaceful settlement of the conflict on the basis of the relevant resolutions of the General Assembly and of the Council.

"The Council will keep the situation under close review and is prepared to consider urgently further action."

At its 3952nd meeting, on 8 December 1998, the Council decided to invite the representatives of the Islamic Republic of Iran and Pakistan to participate, without vote, in the discussion of the item entitled:

"The situation in Afghanistan

"Report of the Secretary-General (S/1998/1109)[294]

"Letter dated 23 November 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1139)".[294]

Resolution 1214 (1998) of 8 December 1998

The Security Council,

Having considered the situation in Afghanistan,

Reaffirming its previous resolutions, in particular resolutions 1189 (1998) of 13 August 1998 and 1193 (1998) of 28 August 1998, and the statements by its President on the situation in Afghanistan,

Recalling General Assembly resolutions 52/211 A and B of 19 December 1997,

Expressing its grave concern at the continued Afghan conflict, which has recently escalated sharply as a result of the offensive by the Taliban forces, which is continuing despite the repeated pleas by the Security Council to cease the fighting, and is causing a serious and growing threat to regional and international peace and security, as well as extensive human suffering, further destruction, refugee flows and other forcible displacement of large numbers of people,

Deploring the fact that despite the readiness of the United Front of Afghanistan to conclude a durable ceasefire and to enter into a political dialogue with the Taliban, fighting continues on both sides,

Concerned by the increasingly ethnic nature of the conflict, by reports of ethnic and religion-based persecution, particularly against the Shiites, and by the threat this poses to the unity of the Afghan State,

Reaffirming its strong commitment to the sovereignty, independence, territorial integrity and national unity of Afghanistan, and its respect for its cultural and historical heritage,

Reiterating that any outside interference in the internal affairs of Afghanistan, including the involvement of foreign military personnel and the supply of arms and ammunition to all parties to the conflict, should cease immediately,

Reaffirming its full support for the efforts of the United Nations, in particular the activities of the United Nations Special Mission to Afghanistan and those of the Special Envoy of the Secretary-General for Afghanistan, in facilitating the political process towards the goals of national reconciliation and a lasting political settlement with the participation of all parties to the conflict and all segments of Afghan society, and reiterating its position that the United Nations must continue to play its central and impartial role in international efforts towards a peaceful resolution of the Afghan conflict,

Welcoming the work of the "six plus two" group, and supporting in this regard the "points of common understanding" adopted at its meeting at the level of Ministers for Foreign Affairs, convened and chaired by the Secretary-General on 21 September 1998,[295]

Deeply concerned at the serious and rapidly deteriorating humanitarian crisis in Afghanistan, deploring in this regard the measures taken by the Taliban which resulted in the evacuation of the United Nations humanitarian personnel from Afghanistan, and underlining the urgent need for the prompt implementation of the necessary security requirements to allow their early return,

Reaffirming that all parties to the conflict are bound to comply with their obligations under international humanitarian law and, in particular, under the Geneva Conventions of 12 August 1949,[292] and that persons who commit or order the commission of breaches of the Conventions are individually responsible in respect of such breaches,

Deeply disturbed by the continuing use of Afghan territory, especially areas controlled by the Taliban, for the sheltering and training of terrorists and the planning of terrorist acts, and reiterating that the suppression of international terrorism is essential for the maintenance of international peace and security,

Deeply disturbed also by the growing cultivation, production and trafficking of drugs in Afghanistan, especially in areas controlled by the Taliban,

Reiterating its deep concern at the continuing discrimination against girls and women and at other violations of human rights and of international humanitarian law in Afghanistan,

1. *Demands* that the Taliban, as well as other Afghan factions, stop fighting, conclude a ceasefire and resume negotiations without delay and preconditions under the auspices of the United Nations, and cooperate with the aim of creating a broad-based and fully representative government, which would protect the rights of all Afghans and observe the international obligations of Afghanistan;

2. *Welcomes* the progress made by the Special Envoy of the Secretary-General for Afghanistan in his efforts based on resolution 1193 (1998) and its relevant preceding resolutions to reduce tensions in the region and towards improving the human rights and humanitarian situation in

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[294] See *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*.

[295] Ibid., *Supplement for July, August and September 1998*, document S/1998/913, annex.

Afghanistan, and calls upon all concerned to implement fully the commitments they have already entered into;

3. *Reiterates its very strong support and appreciation* for the continuing efforts of the Special Envoy to secure the full implementation of its resolutions, and demands that all parties, in particular the Taliban, cooperate in good faith with these efforts;

4. *Reiterates its strong call* upon the Taliban to inform the United Nations without further delay about the results of the investigation into the killing of the two Afghan staff members of the World Food Programme and of the Office of the United Nations High Commissioner for Refugees in Jalalabad, and of the Military Adviser to the United Nations Special Mission to Afghanistan in Kabul;

5. *Condemns* the capture by the Taliban of the Consulate-General of the Islamic Republic of Iran and the murder of the Iranian diplomats and a journalist in Mazar-e-Sharif, stresses that these acts constitute flagrant violations of international law, and calls upon the Taliban to cooperate with the United Nations in investigating these crimes with a view to prosecuting those responsible;

6. *Encourages* the Secretary-General to continue his efforts to dispatch a mission to Afghanistan to investigate numerous reports of grave breaches and serious violations of international humanitarian law in that country, in particular mass killings and mass graves of prisoners of war and civilians and the destruction of religious sites, and urges all parties, especially the Taliban, to cooperate with this mission and, in particular, to assure the safety and freedom of movement of its personnel;

7. *Supports* the proposal of the Secretary-General, as contained in his letter dated 23 November 1998 to the President of the Security Council,[286] to establish within the Special Mission, without prejudice to its mandate and taking into account security conditions, a civil affairs unit with the primary objective of monitoring the situation, promoting respect for minimum humanitarian standards and deterring massive and systematic violations of human rights and humanitarian law in the future, and to send an assessment mission to Afghanistan, as soon as security conditions permit, in order to determine the exact mandate, composition and location of the civilian monitors;

8. *Encourages* the initiatives of the "six plus two" group to facilitate the peace process in Afghanistan;

9. *Also encourages* the additional support of other Member States for the peace process in Afghanistan;

10. *Reiterates its call* upon all States to take resolute measures to prohibit their military personnel from planning and participating in military operations in Afghanistan and immediately to end the supply of arms and ammunition to all parties to the conflict;

11. *Urges* all Afghan factions and, in particular, the Taliban, to demonstrate their full commitment to the safety and security of all international and humanitarian personnel, which is a prerequisite for their activities in Afghanistan, to facilitate their work and to ensure unimpeded access and adequate conditions for the delivery of aid to all in need of it;

12. *Demands* that the Afghan factions put an end to discrimination against girls and women and other violations of human rights, as well as violations of international humanitarian law, and adhere to the international norms and standards in this sphere;

13. *Demands also* that the Taliban stop providing sanctuary and training for international terrorists and their organizations, and that all Afghan factions cooperate with efforts to bring indicted terrorists to justice;

14. *Demands further* that the Taliban, as well as others, halt the cultivation, production and trafficking of illegal drugs;

15. *Deplores* the failure of the leadership of the Taliban, in particular, to take measures to comply with the demands made in its previous resolutions, especially to conclude a ceasefire and to resume negotiations, and in this context expresses its readiness to consider the imposition of measures, in accordance with its responsibility under the Charter of the United Nations, with the aim of achieving the full implementation of its relevant resolutions;

16. *Decides* to remain actively seized of the matter.

Adopted unanimously at the
3952nd meeting.

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[286] Ibid., *Supplement for October, November and December 1998*, document S/1998/1139.

ITEMS RELATING TO THE SITUATION IN RWANDA

The situation concerning Rwanda

[*Resolutions or decisions on this question were also adopted by the Security Council in 1993, 1994, 1995 and 1996.*]

Decision

At its 3870th meeting, on 9 April 1998, the Security Council decided to invite the representatives of Belgium and Germany to participate, without vote, in the discussion of the item entitled "The situation concerning Rwanda".

Resolution 1161 (1998)
of 9 April 1998

The Security Council,

Recalling all its previous resolutions on the situation in Rwanda, in particular resolutions 918 (1994) of 17 May 1994, 997 (1995) of 9 June 1995, 1011 (1995) of 16 August 1995, 1013 (1995) of 7 September 1995 and 1053 (1996) of 23 April 1996,

Condemning the continuing violence in Rwanda, including the massacre of civilians, including refugees, at Mudende in December 1997, and similar acts of violence observed in the Great Lakes region, including in Burundi,

Expressing grave concern at reports of the sale and supply of arms and related *matériel* to the former Rwandan government forces and militias, in violation of the embargo imposed under its resolutions 918 (1994), 997 (1995) and 1011 (1995), and underlining the need for Governments to take action to ensure the effective implementation of the embargo,

Commending the members of the International Commission of Inquiry established by resolution 1013 (1995) on the investigation they conducted and, in particular on their final report[287] and the addendum thereto,[288]

Noting that widespread violence in the eastern region of the former Zaire in October 1996 caused the suspension of effective follow-up to the work of the Commission, but recognizing the need for a renewed investigation of the illegal flow of arms to Rwanda, which is fuelling violence and could lead to further acts of genocide, with specific recommendations to the Security Council for action,

Reaffirming the need for a long-term solution to the refugee and related problems in the territories of States of the Great Lakes region,

Reaffirming also the importance of countering radio broadcasts and pamphlets which spread hate and fear in the region, and emphasizing the need for States to assist countries in the region to counter such broadcasts and publications,

1. *Requests* the Secretary-General to reactivate the International Commission of Inquiry, with the following mandate:

(*a*) To collect information and investigate reports relating to the sale, supply and shipment of arms and related *matériel* to former Rwandan government forces and militias in the Great Lakes region of central Africa, in violation of Security Council resolutions 918 (1994), 997 (1995) and 1011 (1995);

(*b*) To identify parties aiding and abetting the illegal sale to or acquisition of arms by former Rwandan government forces and militias, contrary to the resolutions referred to above;

(*c*) To make recommendations relating to the illegal flow of arms in the Great Lakes region;

2. *Calls upon* all States, relevant United Nations bodies, including the Committee established pursuant to resolution 918 (1994) and, as appropriate, other organizations and interested parties, to collate information in their possession relating to the mandate of the Commission, and to make this information available to the Commission as soon as possible;

3. *Calls upon* the Governments of the States concerned in which the Commission will carry out its mandate to cooperate fully with the Commission in the fulfilment of its mandate, including by responding positively to requests from the Commission for security, assistance and access in pursuing investigations, as specified in paragraph 5 of resolution 1013 (1995);

4. *Calls upon* all States in the Great Lakes region to ensure that their territory is not used as a base for armed groups to launch incursions or attacks against any other State in violation of the Charter of the United Nations and other provisions of international law;

5. *Urges* all States and relevant organizations to cooperate in countering radio broadcasts and publications that incite acts of genocide, hatred and violence in the region;

6. *Encourages* States to make voluntary contributions to the United Nations Trust Fund for Rwanda to provide the financing for the work of the Commission and to contribute equipment and services to the Commission;

7. *Recommends* that the Commission resume its work as soon as possible, requests the Secretary-General to report to the Council on the reactivation of the Commission, and further requests him to submit an interim report to the Council on the initial conclusions of the Commission within three months of its reactivation, to be followed by a final report containing its recommendations three months later;

8. *Reiterates its concern* that the uncontrolled illegal flows of arms and related *matériel* in violation of its above-mentioned resolutions pose a threat to peace and stability in the Great Lakes region, and declares its willingness to consider

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[287] *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/1010, annex.

[288] Ibid., *Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/63, annex.

further other measures in this regard, including the recommendations referred to in paragraph 1 (*c*) above, and any other related recommendations offered by the Commission;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the
3870th meeting.

Decision

At its 3877th meeting, on 30 April 1998, the Security Council considered the item entitled:

"The situation concerning Rwanda

> "Establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for such violations committed in the territory of neighbouring States".

Resolution 1165 (1998)
of 30 April 1998

The Security Council,

Reaffirming its resolution 955 (1994) of 8 November 1994,

Recalling its decision in that resolution to consider increasing the number of judges and Trial Chambers of the International Tribunal for Rwanda if it becomes necessary,

Remaining convinced that in the particular circumstances of Rwanda the prosecution of persons responsible for serious violations of international humanitarian law will contribute to the process of national reconciliation and to the restoration and maintenance of peace in Rwanda and in the region,

Stressing the need for international cooperation to strengthen the courts and judicial system of Rwanda, having regard in particular to the necessity for those courts to deal with a large number of accused awaiting trial,

Having considered the letter from the President of the International Tribunal for Rwanda, transmitted by identical letters dated 15 October 1997 from the Secretary-General to the Presidents of the Security Council and the General Assembly,[299]

Convinced of the need to increase the number of judges and Trial Chambers, in order to enable the International Tribunal for Rwanda to try without delay the large number of accused awaiting trial,

Noting the progress being made in improving the efficient functioning of the International Tribunal for Rwanda, and convinced of the need for its organs to continue their efforts to further such progress,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* to establish a third Trial Chamber of the International Tribunal for Rwanda, and to this end decides to amend articles 10, 11 and 12 of the statute of the Tribunal,[300] replacing those articles with the text set out in the annex to the present resolution;

2. *Decides* that the elections for the judges of the three Trial Chambers shall be held together, for a term of office to expire on 24 May 2003;

3. *Also decides* that, as an exceptional measure to enable the third Trial Chamber to begin to function at the earliest possible date and without prejudice to article 12, paragraph 5, of the statute of the International Tribunal for Rwanda, three newly elected judges, designated by the Secretary-General in consultation with the President of the Tribunal, shall commence their term of office as soon as possible following the elections;

4. *Urges* all States to cooperate fully with the International Tribunal for Rwanda and its organs in accordance with resolution 955 (1994), and welcomes the cooperation already extended to the Tribunal in the fulfilment of its mandate;

5. *Urges* the organs of the International Tribunal for Rwanda actively to continue their efforts to increase further the efficiency of the work of the Tribunal in their respective areas, and in this connection further calls upon them to consider how their procedures and methods of work can be enhanced, taking into account relevant recommendations in this regard;

6. *Requests* the Secretary-General to make practical arrangements for the elections mentioned in paragraph 2 above and for enhancing the effective functioning of the International Tribunal for Rwanda, including the timely provision of personnel and facilities, in particular for the third Trial Chamber and related offices of the Prosecutor, and further requests him to keep the Security Council closely informed of progress in this regard;

7. *Decides* to remain actively seized of the matter.

Adopted unanimously at the
3877th meeting.

ANNEX

Amendments to the statute of the International Tribunal for Rwanda

Replace articles 10, 11 and 12 by the following:

Article 10

Organization of the International Tribunal for Rwanda

The International Tribunal for Rwanda shall consist of the following organs:

(*a*) The Chambers, comprising three Trial Chambers and an Appeals Chamber;

(*b*) The Prosecutor;

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[299] Ibid., *Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/812.

[300] Resolution 955 (1994), annex.

(*c*) A Registry.

Article 11

Composition of the Chambers

The Chambers shall be composed of fourteen independent judges, no two of whom may be nationals of the same State, who shall serve as follows:

(*a*) Three judges shall serve in each of the Trial Chambers;

(*b*) Five judges shall serve in the Appeals Chamber.

Article 12

Qualification and election of judges

1. The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law.

2. The members of the Appeals Chamber of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (hereinafter referred to as "the International Tribunal for the Former Yugoslavia") shall also serve as the members of the Appeals Chamber of the International Tribunal for Rwanda.

3. The judges of the Trial Chambers of the International Tribunal for Rwanda shall be elected by the General Assembly from a list submitted by the Security Council, in the following manner:

(*a*) The Secretary-General shall invite nominations for judges of the Trial Chambers from States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters;

(*b*) Within thirty days of the date of the invitation of the Secretary-General, each State may nominate up to two candidates meeting the qualifications set out in paragraph 1 above, no two of whom shall be of the same nationality and neither of whom shall be of the same nationality as any judge on the Appeals Chamber;

(*c*) The Secretary-General shall forward the nominations received to the Security Council. From the nominations received, the Security Council shall establish a list of no less than eighteen and not more than twenty-seven candidates, taking due account of adequate representation on the International Tribunal for Rwanda of the principal legal systems of the world;

(*d*) The President of the Security Council shall transmit the list of candidates to the President of the General Assembly. From that list, the General Assembly shall elect the nine judges of the Trial Chambers. The candidates who receive an absolute majority of the votes of the States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected. Should two candidates of the same nationality obtain the required majority vote, the one who received the higher number of votes shall be considered elected.

4. In the event of a vacancy in the Trial Chambers, after consultation with the Presidents of the Security Council and the General Assembly, the Secretary-General shall appoint a person meeting the qualifications set out in paragraph 1 above, for the remainder of the term of office concerned.

5. The judges of the Trial Chambers shall be elected for a term of four years. The terms and conditions of service shall be those of the judges of the International Tribunal for the Former Yugoslavia. They shall be eligible for re-election.

International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States

Decisions

At its 3908th meeting, on 15 July 1998, the Security Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States
>
> "Letter dated 8 July 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/640)".[291]

On 15 July 1998, the President of the Security Council addressed the following letter to the Secretary-General:[292]

> "I have the honour to inform you that your letter dated 8 July 1998 concerning the list of candidates for judges to the International Tribunal for Rwanda and your

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[291] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*.

[292] S/1998/646.

suggestion to extend the deadline for nominations to the Tribunal until 4 August 1998[293] has been brought to the attention of the Security Council. The Council noted the information contained in the letter and agreed with the proposal contained therein."

At its 3917th meeting, on 18 August 1998, the Council considered the item entitled:

> "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States
>
> > "Letter dated 7 August 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/760)".[291]

On 18 August 1998, the President of the Security Council addressed the following letter to the Secretary-General:[294]

> "I have the honour to inform you that your letter dated 7 August 1998 by which you forwarded to the Security Council the fourteen nominations of judges for the Trial Chambers of the International Tribunal for Rwanda received from States Members of the United Nations within the period specified in paragraph 3 (*b*) of article 12 of the statute of the Tribunal,[295] as extended by the Council in the decision taken at its 3908th meeting,[292] has been brought to the attention of the Council. The Council noted the information contained therein and decided to extend the deadline for the nominations of judges for the Tribunal until 14 September 1998.
>
> "I should be grateful if you would inform States Members of the United Nations and non-member States maintaining permanent observer missions at United Nations Headquarters accordingly."

At its 3934th meeting, on 30 September 1998, the Council considered the item entitled:

> "The situation concerning Rwanda
>
> > "International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States
> >
> > > "Establishment of the list of candidates for judges of the International Tribunal for Rwanda".

Resolution 1200 (1998)
of 30 September 1998

The Security Council,

Recalling its resolutions 955 (1994) of 8 November 1994, 989 (1995) of 24 April 1995 and 1165 (1998) of 30 April 1998,

Having considered the nominations for judges of the International Tribunal for Rwanda received by the Secretary-General,

Forwards the following nominations to the General Assembly in accordance with paragraph 3 (*d*) of article 12 of the statute of the International Tribunal for Rwanda:

Ms. Eugénie Liliane Arivony (Madagascar)
Mr. Pavel Dolenc (Slovenia)
Mr. Salifou Fomba (Mali)
Mr. Willy C. Gaa (Philippines)
Mr. Asoka de Z. Gunawardena (Sri Lanka)
Mr. Mehmet Güney (Turkey)
Mr. Aka Edoukou Jean-Baptiste Kablan (Côte d'Ivoire)
Mr. Laïty Kama (Senegal)
Mr. Dionysios Kondylis (Greece)
Mr. Bouba Mahamane (Niger)
Mr. Erik Møse (Norway)
Mr. Yakov Ostrovsky (Russian Federation)
Mr. Cheick Dimkinsedo Ouédraogo (Burkina Faso)
Ms. Navanethem Pillay (South Africa)
Ms. Indira Rana (Nepal)
Mr. William Sekule (United Republic of Tanzania)
Mr. Tilahun Teshome (Ethiopia)
Mr. Lloyd George Williams (Jamaica and St. Kitts and Nevis)

Adopted unanimously at the 3934th meeting.

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[293] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/640.

[294] S/1998/761.

[295] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/760.

THE SITUATION IN CYPRUS

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1963.*]

Decisions

On 14 April 1998, the President of the Security Council addressed the following letter to the Secretary-General:[296]

> "I have the honour to inform you that your letter dated 8 April 1998 concerning your intention to add the Netherlands to the list of Member States contributing military personnel to the United Nations Peacekeeping Force in Cyprus[297] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

On 13 May 1998, the President of the Security Council addressed the following letter to the Secretary-General:[298]

> "I have the honour to inform you that your letter dated 8 May 1998 concerning your intention to appoint Ms. Ann Hercus, of New Zealand, as Deputy Special Representative and Chief of Mission in Cyprus[299] has been brought to the attention of the members of the Security Council. They agree with the intention expressed in your letter."

On 19 May 1998, the President of the Security Council addressed the following letter to the Secretary-General:[300]

> "I have the honour to inform you that the members of the Security Council have taken note of your letter dated 20 April 1998[301] and reiterate their strong support for your mission of good offices in Cyprus and for the efforts of your Special Adviser on Cyprus, Mr. Diego Cordovez, on the basis of the relevant Council resolutions."

At its 3898th meeting, on 29 June 1998, the Council considered the item entitled:

> "The situation in Cyprus
>
> > "Report of the Secretary-General on the United Nations operation in Cyprus (S/1998/488 and Add.1)[302]
> >
> > "Report of the Secretary-General on his mission of good offices in Cyprus (S/1998/518)".[302]

Resolution 1178 (1998)
of 29 June 1998

The Security Council,

Welcoming the report of the Secretary-General of 10 June 1998 on the United Nations operation in Cyprus,[303]

Noting that the Government of Cyprus has agreed that in view of the prevailing conditions on the island it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 30 June 1998,

Reaffirming all its earlier resolutions on Cyprus,

Noting with concern that tensions along the ceasefire lines and restrictions to the freedom of movement of the Force continue,

1. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending on 31 December 1998;

2. *Reminds* both sides of their obligations to prevent any violence directed against Force personnel, to cooperate fully with the Force and to ensure its complete freedom of movement;

3. *Calls upon* the military authorities on both sides to refrain from any action, particularly in the vicinity of the buffer zone, which would exacerbate tensions;

4. *Underlines* the importance of early agreement to the reciprocal measures for the reduction of tension along the ceasefire lines proposed and subsequently adapted by the Force, notes the fact that only one side has so far accepted this package, calls for early agreement to and rapid implementation of reciprocal measures, and encourages the Force to continue its efforts towards that end;

5. *Reiterates its grave concern* at the continuing excessive and increasing levels of military forces and armaments in the Republic of Cyprus and the rate at which they are being expanded, upgraded and modernized, including by the introduction of sophisticated weaponry, and the lack of progress towards any significant reduction in the number of foreign troops in the Republic of Cyprus, which threaten to raise tensions both on the island and in the region and complicate efforts to negotiate an overall political settlement;

6. *Calls upon* all concerned to commit themselves to a reduction in defence spending and a reduction in the number of foreign troops in the Republic of Cyprus to help to restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas,[304] stresses the importance of eventual demilitarization of the Republic of Cyprus as an objective in the context of an

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[296] S/1998/323.

[297] S/1998/322.

[298] S/1998/389.

[299] S/1998/388.

[300] S/1998/411.

[301] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998, document* S/1998/410.

[302] Ibid, *Supplement for April, May and June 1998.*

[303] Ibid., documents S/1998/488 and Add.1.

[304] Ibid., *Forty-seventh Year, Supplement for July, August and September 1992*, document S/24472 .

overall comprehensive settlement, and encourages the Secretary-General to continue to promote efforts in this direction;

7. *Calls upon* the leaders of the two communities to resume the discussions on security issues begun on 26 September 1997;

8. *Welcomes* the ongoing efforts by the Force to implement its humanitarian mandate in respect of Greek Cypriots and Maronites living in the northern part of the island, and Turkish Cypriots living in the southern part, and welcomes also the progress in the implementation of recommendations arising out of the humanitarian review undertaken by the Force in 1995, as mentioned in the report of the Secretary-General;[303]

9. *Welcomes also* the appointment of the new third member of the Committee on Missing Persons, and calls for implementation without delay of the agreement on missing persons of 31 July 1997;

10. *Reiterates its support* for the efforts of the United Nations and others concerned to promote the holding of bicommunal events so as to build cooperation, trust and mutual respect between the two communities, regrets the suspension of such activity by the Turkish Cypriot leadership, and urges both sides, and in particular the Turkish Cypriot side, to facilitate arrangements within which bicommunal contacts can take place uninterrupted and without formalities;

11. *Requests* the Secretary-General to submit a report by 10 December 1998 on the implementation of the present resolution;

12. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3898th meeting.

Resolution 1179 (1998)
of 29 June 1998

The Security Council,

Welcoming the report of the Secretary-General of 16 June 1998 on his mission of good offices in Cyprus,[305]

Reaffirming all its earlier resolutions on Cyprus,

Calling once more upon all States to respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, and requesting them, along with the parties concerned, to refrain from any action which might prejudice that sovereignty, independence and territorial integrity, as well as from any attempt of partition of the island or its unification with any other country,

Reiterating its growing concern that negotiations on a comprehensive political solution have yet to make progress, despite the efforts of the Secretary-General and his Special Adviser and others in support of the United Nations efforts to promote a comprehensive settlement,

1. *Reaffirms* that the status quo is unacceptable and that negotiations on a final political solution of the Cyprus problem have been at an impasse for too long;

2. *Reaffirms* its position that a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions, in a bicommunal and bi-zonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

3. *Stresses its full support* for the Secretary-General's mission of good offices and for the efforts of his Special Adviser on Cyprus to resume a sustained process of direct negotiations aimed at achieving a comprehensive settlement on the basis of the relevant Security Council resolutions, and stresses also the importance of concerted efforts to work with the Secretary-General to that end;

4. *Welcomes* the intention of the Secretary-General to continue to explore possibilities that may lead to a new momentum in that process of negotiations;

5. *Calls once again upon* the leaders of the two communities, in particular the Turkish Cypriot side, to commit themselves to this process of negotiations, to cooperate actively and constructively with the Secretary-General and his Special Adviser and to resume the direct dialogue without further delay, and urges all States to lend their full support to these efforts;

6. Calls upon, in this context, all parties concerned to create a climate for reconciliation and genuine mutual confidence on both sides, and to avoid any actions which might increase tension, including through further expansion of military forces and armaments;

7. *Requests* the Secretary-General to submit a report by 10 December 1998 on the implementation of the present resolution;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3898th meeting.

Decision

At its 3959th meeting, on 22 December 1998, the Security Council considered the item entitled:

"The situation in Cyprus

> "Report of the Secretary-General on the United Nations operation in Cyprus (S/1998/1149 and Add.1)[306]
>
> "Letter dated 14 December 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/1166)".[306]

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[305] Ibid., *Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/518.

[306] Ibid., *Supplement for October, November and December 1998.*

Resolution 1217 (1998) of 22 December 1998

The Security Council,

Welcoming the report of the Secretary-General of 7 December 1998 on the United Nations operation in Cyprus,[307]

Welcoming also the letter from the Secretary-General dated 14 December 1998 addressed to the President of the Security Council on his mission of good offices in Cyprus ,[308]

Noting that the Government of Cyprus has agreed that, in view of the prevailing conditions on the island, it is necessary to keep the United Nations Peacekeeping Force in Cyprus beyond 31 December 1998,

Reaffirming all its earlier resolutions on Cyprus,

Calling once more upon all States to respect the sovereignty, independence and territorial integrity of the Republic of Cyprus, and requesting them, along with the parties concerned, to refrain from any action which might prejudice that sovereignty, independence and territorial integrity, as well as from any attempt of partition of the island or its unification with any other country,

Noting with concern that restrictions to the freedom of movement of the Force continue,

Noting with satisfaction that the situation along the ceasefire lines has remained generally calm, notwithstanding numerous minor violations,

Reiterating the need to make progress on a comprehensive political solution,

1. *Decides* to extend the mandate of the United Nations Peacekeeping Force in Cyprus for a further period ending on 30 June 1999;

2. *Reminds* both sides of their obligations to prevent any violence directed against Force personnel, to cooperate fully with the Force and to ensure its complete freedom of movement;

3. *Calls upon* the military authorities on both sides to refrain from any action, particularly in the vicinity of the buffer zone, which would exacerbate tensions;

4. *Reiterates its grave concern* at the continuing excessive levels of military forces and armaments in the Republic of Cyprus and the rate at which they are being expanded, upgraded and modernized, including by the introduction of sophisticated weaponry, and the lack of progress towards any significant reduction in the number of foreign troops in the Republic of Cyprus, which threaten to raise tensions both on the island and in the region and complicate efforts to negotiate an overall political settlement;

5. *Calls upon* all concerned to commit themselves to a reduction in defence spending and a reduction in the number of foreign troops in the Republic of Cyprus to help to restore confidence between the parties and as a first step towards the withdrawal of non-Cypriot forces as described in the set of ideas,[304] stresses the importance of eventual demilitarizati the Republic of Cyprus as an objective in the context overall comprehensive settlement, and encourages Secretary-General to continue to promote efforts in this direction;

6. *Reaffirms* that the status quo is unacceptable and that negotiations on a final political solution of the Cyprus problem have been at an impasse for too long;

7. *Reaffirms* its position that a Cyprus settlement must be based on a State of Cyprus with a single sovereignty and international personality and a single citizenship, with its independence and territorial integrity safeguarded, and comprising two politically equal communities as described in the relevant Security Council resolutions, in a bicommunal and bi-zonal federation, and that such a settlement must exclude union in whole or in part with any other country or any form of partition or secession;

8. *Stresses its full support* for the Secretary-General's mission of good offices and for the efforts of his Special Adviser and Deputy Special Representative in Cyprus to resume, when appropriate, a sustained process of direct negotiations aimed at achieving a comprehensive settlement on the basis of the relevant Security Council resolutions, and stresses also the importance of concerted efforts to work with the Secretary-General to that end;

9. *Calls once again upon* the leaders of the two communities to commit themselves to this process of negotiations, to cooperate actively and constructively with the Secretary-General, his Special Adviser and his Deputy Special Representative and to resume when appropriate the direct dialogue, and urges all States to lend their full support to these efforts;

10. *Welcomes* the ongoing efforts by the Force to implement its humanitarian mandate in respect of Greek Cypriots and Maronites living in the northern part of the island, and Turkish Cypriots living in the southern part, as mentioned in the report of the Secretary-General;[307]

11. *Welcomes also* the resumption of work of the Committee on Missing Persons, and calls for implementation without delay of the agreement on missing persons of 31 July 1997;

12. *Reiterates its support* for the efforts of the United Nations and others concerned to promote the holding of bicommunal events so as to build cooperation, trust and mutual respect between the two communities;

13. *Welcomes* the efforts made to improve the efficiency of the Force, including by the establishment of a new Civil Affairs Branch;

14. *Requests* the Secretary-General to submit a report by 10 June 1999 on the implementation of the present resolution;

15. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3959th meeting.

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[307] Ibid., documents S/1998/1149 and Add.1.

[308] Ibid., document S/1998/1166.

Resolution 1218 (1998)
of 22 December 1998

The Security Council,

Reaffirming all its earlier resolutions on Cyprus,

Reiterating its grave concern at the lack of progress towards an overall political settlement on Cyprus,

1. *Expresses its appreciation* for the letter dated 14 December 1998 from the Secretary-General addressed to the President of the Security Council on his mission of good offices in Cyprus, in particular on the work of his Deputy Special Representative;[308]

2. *Endorses* the initiative of the Secretary-General announced on 30 September 1998 within the framework of his mission of good offices, with the goal of reducing tensions and promoting progress towards a just and lasting settlement in Cyprus;

3. *Expresses its appreciation* for the spirit of cooperation and constructive approach the two sides have demonstrated thus far in working with the Deputy Special Representative of the Secretary-General;

4. *Requests* the Secretary-General, in view of the objectives of promoting progress towards a just and lasting settlement and of reducing tension, set out in his initiative of 30 September 1998, and building on the serious engagement already demonstrated by the two sides to continue to make progress towards these two objectives, on the basis of relevant Security Council resolutions;

5. *Also requests* the Secretary-General, in particular, to work intensively with the two sides on the following, taking into account resolution 1178 (1998) of 29 June 1998:

(*a*) An undertaking to refrain from the threat or use of force or violence as a means to resolve the Cyprus problem;

(*b*) A staged process aimed at limiting and then substantially reducing the level of all troops and armaments in Cyprus;

(*c*) Implementation of the package of measures of the United Nations Peacekeeping Force in Cyprus aimed at reducing tensions along the ceasefire lines, and a commitment to enter into discussions with the Force with a view to early agreement on further specific and related tension-reducing steps, including demining along the buffer zone;

(*d*) Further progress in the area of tension-reduction;

(*e*) Efforts to achieve substantive progress on the core aspects of a comprehensive Cyprus settlement;

(*f*) Other measures that will build trust and cooperation between the two sides;

6. *Calls upon* the two sides to show compliance with all the objectives in paragraphs 4 and 5 above, in full cooperation with the Secretary-General;

7. *Requests* the Secretary-General to keep the Security Council informed of progress made on his initiative;

8. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3959th meeting.

THE SITUATION IN AFRICA

[*Resolutions or decisions on this question were also adopted by the Security Council in 1997.*]

Decisions

At its 3871st meeting, on 16 April 1998, the Security Council considered the item entitled:

"The situation in Africa

"Report of the Secretary-General (S/1998/318)".[309]

At its 3875th meeting, on 24 April 1998, the Council decided to invite the representatives of Algeria, Argentina, Bangladesh, Belgium, Cameroon, Canada, Colombia, the Comoros, Cuba, Cyprus, the Democratic Republic of the Congo, Djibouti, Egypt, Ethiopia, Germany, Guyana, India, Indonesia, Italy, Kuwait, Lebanon, the Libyan Arab Jamahiriya, Malawi, Malaysia, Mauritania, Morocco, the Netherlands, Nigeria, Norway, Pakistan, the Philippines, the Republic of Korea, South Africa, Tunisia, Uganda, Ukraine, the United Arab Emirates, the United Republic of Tanzania and Zimbabwe to participate, without vote, in the discussion of the item entitled:

"The situation in Africa

"Report of the Secretary-General (S/1998/318)".[309]

At the same meeting, the Council decided, at the request of the Director of the Liaison Office of the United Nations High Commissioner for Refugees at the United Nations Headquarters, to extend an invitation to Mrs. Sadako Ogata, the United Nations High Commissioner for Refugees, under rule 39 of the provisional rules of procedure of the Council.

At the same meeting, the Council also decided to extend an invitation to Mrs. Sylvie Junod, Head of Delegation of the International Committee of the Red Cross to the United Nations, under rule 39 of the provisional rules of procedure.

At the same meeting, the Council also decided to extend an invitation to Archbishop Jean-Louis Tauran, Secretary for Relations with States of the Holy See to participate, without vote, in the discussion of the item.

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[309] See *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998.*

At its 3886th meeting, on 28 May 1998, the Council considered the item entitled:

"The situation in Africa

"Report of the Secretary-General (S/1998/318)".[309]

Resolution 1170 (1998)
of 28 May 1998

The Security Council,

Recalling the statement by its President of 25 September 1997,[310]

Having considered the report of the Secretary-General of 13 April 1998 submitted to the General Assembly and to the Security Council in accordance with the above-mentioned statement,[311]

Fully supporting the engagement of the United Nations in Africa through its diplomatic, peacekeeping, humanitarian, economic development and other activities,

Reaffirming the principles of political independence, sovereignty and territorial integrity of all States,

Reaffirming also the obligation of all Member States to settle their disputes by peaceful means, and stressing its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Recalling the provisions of Chapter VIII of the Charter on regional arrangements,

Mindful of the Cairo Declaration of 1993,[312] which stipulated that the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity would have as a primary objective the anticipation and prevention of conflicts,

Recognizing that the adoption of the African Nuclear-Weapon-Free Zone Treaty,[313] declaring Africa a nuclear-weapon-free zone, is an important contribution to the promotion of regional peace and security and to global efforts towards nuclear non-proliferation and nuclear disarmament,

Gravely concerned that the continuation of armed conflicts in the continent threatens regional peace, causes massive human displacement, suffering and poverty, perpetuates instability and diverts scarce resources from long-term development,

Recognizing the importance of the commitment of the United Nations through its Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees and other United Nations agencies, and of humanitarian organizations to assist the efforts of African States to address humanitarian and refugee crises in accordance with international law, including international humanitarian law,

Stressing the close linkage between international peace and security and sustainable development,

Noting that African States have made significant strides towards democratization, economic reform, and respect for and protection of human rights, and stressing the importance of promoting political stability, peace and sustainable development,

Stressing the importance of promoting good governance, the rule of law and sustainable development as essential factors in the prevention of conflicts in Africa,

Expressing concern that the use of mercenaries and the presence of armed militias continue to contribute to instability in Africa,

Emphasizing the destabilizing effects of the illicit transfer of arms, especially small arms, and urging Governments concerned to combat the trafficking of such weapons,

1. *Welcomes* the report of the Secretary-General of 13 April 1998[311] and the comprehensive recommendations contained therein, and commends the Secretary-General for his efforts to address the causes of conflict and the promotion of durable peace and sustainable development in Africa, and for the steps he is taking to reinforce the role of the United Nations system towards these ends;

2. *Stresses* that the challenges in Africa demand a comprehensive response, and in this context expresses the hope that the General Assembly, the Economic and Social Council, other relevant bodies of the United Nations, regional and subregional organizations, international financial institutions and other relevant organizations, as well as Member States will consider the report and its recommendations and take action as they deem appropriate within their respective areas of competence;

3. *Notes* the important role of the Secretary-General in coordinating the work of the United Nations agencies concerned in the implementation of the recommendations in his report, and requests the Secretary-General to keep the Council regularly informed of the efforts being undertaken by the agencies and other bodies of the United Nations system in this regard;

4. *Decides* to establish an ad hoc Working Group, comprised of all members of the Council, for a period of six months, to review all recommendations in the report related to the maintenance of international peace and security, in accordance with the Charter of the United Nations, and in that context, to prepare a framework for the implementation of recommendations, as appropriate, and to submit specific proposals for concrete action for consideration by the Council by September 1998;

5. *Expresses its intention* to convene at the ministerial level on a biennial basis, beginning in September 1998 and subsequently as needed in order to assess progress in promoting peace and security in Africa;

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[310] S/PRST/1997/46.

[311] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/318.

[312] See A/48/322, annex II.

[313] See A/50/426.

6. *Stresses* the importance of appropriate consultations and cooperation between the United Nations and the Organization of African Unity on the follow-up to the report;

7. *Welcomes* the important contributions of the Organization of African Unity to conflict prevention and resolution in Africa, including its Mechanism for Conflict Prevention, Management and Resolution, as well as those of subregional arrangements;

8. *Welcomes also* the efforts made by Member States, regional organizations and the United Nations to enhance the capacity of African States to contribute to peacekeeping operations in accordance with the Charter;

9. *Invites* Member States and regional organizations to provide assistance to the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity to enhance its capacity in the anticipation and prevention of conflicts;

10. *Encourages* the Secretary-General to continue to take concrete actions aimed at enhancing the capacity of the Organization of African Unity to anticipate and prevent conflicts in Africa, on the basis of the United Nations-Organization of African Unity Cooperation Agreement of 15 November 1965;[314]

11. *Decides* to remain actively seized of the matter.

Adopted unanimously at the 3886th meeting.

Decision

At its 3927th meeting, on 16 September 1998, the Security Council considered the item entitled:

"The situation in Africa

> "Report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318)".[309]

Resolution 1196 (1998) of 16 September 1998

The Security Council,

Reaffirming its resolution 1170 (1998) of 28 May 1998,

Recalling the statement made by its President on 25 September 1997 at the meeting of the Security Council at the level of Ministers for Foreign on the situation in Africa,[310]

Having considered the recommendations contained in the report of the Secretary-General of 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa", which was submitted to the General Assembly and to the Security Council[311] in accordance with the above-mentioned statement, regarding the importance of strengthening the effectiveness of arms embargoes as a means to diminish the availability of arms with which to pursue armed conflicts,

Stressing the principles of the political independence, sovereignty and territorial integrity of all States,

Mindful of the Cairo Declaration of 1993,[312] which stipulated that the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity would have as a primary objective the anticipation and prevention of conflicts,

Reaffirming the obligations of all Member States to settle their international disputes by peaceful means, and stressing the primary responsibility of the Security Council for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Recognizing that the International Commission of Inquiry established by its resolution 1013 (1995) of 7 September 1995 and reactivated in accordance with its resolution 1161 (1998) of 9 April 1998 is an example of a useful means for strengthening the effectiveness of an arms embargo established by the Council,

1. *Reiterates* the obligation of all Member States to carry out decisions of the Security Council on arms embargoes;

2. *Encourages* each Member State, as appropriate, to consider as a means of implementing the obligations referred to in paragraph 1 above the adoption of legislation or other legal measures making the violation of arms embargoes established by the Council a criminal offence;

3. *Requests* the Security Council committees established by resolutions imposing arms embargoes in Africa to include in their annual reports a substantive section on the implementation of the arms embargoes, on possible violations of the measures reported to the committees and with recommendations as appropriate for strengthening the effectiveness of the arms embargoes;

4. *Encourages* the chairmen of the committees referred to in paragraph 3 above to seek to establish channels of communication with regional and subregional organizations and bodies, including in Africa the Mechanism for Conflict Prevention, Management and Resolution of the Organization of African Unity, the Economic Community of West African States, the United Nations Standing Advisory Committee on Security Questions in Central Africa, the Southern African Development Community and the Intergovernmental Authority on Development, in addition to other sources of information, including Member States, already mentioned in the guidelines of the committees, in order to improve the monitoring of arms embargoes through wider and regular exchange of information with relevant parties in the region concerned;

5. *Reiterates its request* that all States, relevant United Nations bodies and, as appropriate, other organizations and interested parties report information on possible violations of arms embargoes established by the Council to the relevant committees referred to in paragraph 3 above;

6. *Requests* the committees referred to in paragraph 3 above to make relevant information publicly available through appropriate media, including through the improved use of information technology;

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[314] United Nations, *Treaty Series*, vol. 548, No. 614.

7. *Welcomes* the initiative of the chairmen of the committees established pursuant to resolution 864 (1993) of 15 September 1993 and resolution 1132 (1997) of 8 October 1997 concerning the situation in Angola and in Sierra Leone, respectively, to visit countries in the region, and invites other committees to consider this approach, where and when appropriate, in order to enhance the full and effective implementation of the measures specified in their respective mandates with a view to urging the parties to comply with relevant Council resolutions;

8. *Expresses its willingness* to consider, whenever it establishes arms embargoes, all appropriate measures to assist their effective implementation, and notes, in this context, that measures such as inquiries into arms-trafficking routes, the follow-up of possible specific violations and the deployment of border or point-of-entry monitors may be relevant, in consultation with the countries concerned;

9. *Urges* Member States, relevant United Nations bodies and agencies and other international agencies to consider the provision of technical and other assistance, in consultation with the States concerned, to facilitate the implementation of arms embargoes;

10. *Stresses* that arms embargoes established by the Council should have clearly established objectives and provisions for regular review of the measures with a view to lifting them when the objectives are met, in accordance with the terms of the applicable Council resolutions;

11. *Requests* all Security Council committees established pursuant to resolutions imposing arms embargoes to consider, as appropriate, the application of the measures contained in the present resolution;

12. *Decides* to remain seized of the matter.

Adopted unanimously at the 3927th meeting.

Decisions

At the 3927th meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[315]

> "The Security Council welcomes the report of the Secretary-General of 13 April 1998 entitled 'The causes of conflict and the promotion of durable peace and sustainable development in Africa', which was submitted to the General Assembly and the Security Council.[311]
>
> "It agrees with the Secretary-General that the credibility of the United Nations in Africa to a great extent depends upon the willingness of the international community to act and to explore new means of advancing the objectives of peace and security in the African continent.
>
> "The Council, which has the primary responsibility under the Charter of the United Nations for international peace and security, expresses its commitment to exercising this responsibility in relation to Africa, and affirms that strengthening Africa's capacity to participate in all aspects of peacekeeping operations, including their military, police, humanitarian and other civilian components, is a key priority.
>
> "The Council encourages increased bilateral and multilateral cooperation in the field of peacekeeping, especially capacity-building, between Member States, the United Nations and the Organization of African Unity, as well as subregional organizations in Africa. It welcomes the efforts already undertaken by the United Nations and Member States to promote greater transparency and coordination in multilateral efforts to enhance Africa's capacity for peacekeeping. In particular, it welcomes efforts to implement the recommendations in the report of the Secretary-General of 1 November 1995 entitled 'Improving preparedness for conflict prevention and peacekeeping in Africa'[316] and to follow up the outcome of the meetings organized by the Department of Peacekeeping Operations of the Secretariat in December 1997 and May 1998. It encourages all States and organizations concerned to work with African States in particular on the basis of African initiatives and proposals.
>
> "The Council encourages contributions, financial and in kind, aimed at enhancing Africa's peacekeeping capacity. In particular, it urges Member States to contribute to the trust funds established by the United Nations and the Organization of African Unity to improve preparedness for conflict prevention and peacekeeping in Africa.
>
> "The Council affirms the role of the United Nations in setting general standards for peacekeeping, and urges compliance with existing United Nations guidelines, including through the use of the 'Ten Rules: Code of Personal Conduct for Blue Helmets', which were elaborated following a request by the Special Committee on Peacekeeping Operations.[317] It encourages all those involved in enhancing Africa's peacekeeping capacity to ensure that training for and the conduct of peacekeeping give due emphasis to international humanitarian law and human rights, including the rights of the child, as well as to gender issues. It requests all those conducting peacekeeping operations in Africa to pay particular attention to the situation of children in armed conflict, as appropriate, both in mandates for and reports about such operations.
>
> "The Council supports the efforts of the United Nations, regional and subregional organizations as well as Member States in the field of training for peacekeeping.
>
> "The Council welcomes the readiness of the United Nations to act as a clearing house for information on available training initiatives. It particularly welcomes the intention of the Secretary-General to establish a United Nations database on training. With the aim of strengthening Africa's peacekeeping capacity, the

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[315] S/PRST/1998/28.

[316] *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/911.

[317] See A/51/130 and Corr.1.

Council requests the Secretary-General to pursue these plans and to include in the database information about African needs in this field, possible regional and extra-regional contributions to assist in achieving this goal, and available expertise on training. It encourages Member States and regional and subregional organizations to contribute information to the database. It encourages the Secretary-General to consider possible further uses and broadening of United Nations databases, for instance in humanitarian crises.

"The Council also welcomes the proposal of the Secretary-General to establish an informal working group composed of African and non-African States directly involved or interested in the provision of training assistance.

"The Council emphasizes the value of training aimed at improving coordination and cooperation among military, police, humanitarian and other civilian components of peacekeeping operations. It encourages the Secretary-General and Member States to engage international and non-governmental humanitarian organizations, as appropriate, in peacekeeping training activities.

"The Council underlines the importance of the availability of appropriately trained personnel and relevant equipment for all components of peacekeeping operations. In this context, it encourages increased participation by Member States, in particular from Africa, in the United Nations standby arrangements. The Council further encourages the use of United Nations Training Assistance Teams as a useful tool in support of national peacekeeping training. It recognizes the value of joint training exercises, as well as the establishment of partnerships between States whose contingents require equipment and States and organizations that are able to assist them. It also encourages the exchange of lessons learned from previous operations.

"The Council requests the Secretary-General to study ways to improve the availability of logistics for peacekeeping efforts in Africa.

"The Council stresses the need for it to be fully informed of peacekeeping activities carried out or planned by regional or subregional organizations and underlines the fact that the improved flow of information and the holding of regular briefing meetings between members of the Council, African regional and subregional organizations involved in peacekeeping operations and troop contributors and other participating Member States have an important role to play in helping to enhance African peacekeeping capacity. In that context, the Council encourages the Secretary-General to establish appropriate United Nations liaison with regional and subregional organizations and invites those organizations and Member States to provide the Council and the Secretary-General with information on their activities in the field of peacekeeping."

At its 3928th meeting, on 18 September 1998, the Council considered the item entitled:

"The situation in Africa

"Report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318)".[309]

Resolution 1197 (1998)
of 18 September 1998

The Security Council,

Reaffirming its primary responsibility for the maintenance of international peace and security in accordance with the Charter of the United Nations,

Having considered the recommendations contained in the report of the Secretary-General of 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa", which was submitted to the General Assembly and to the Security Council,[311] regarding the need for the United Nations to provide support for regional and subregional initiatives and the strengthening of coordination between the United Nations and regional and subregional organizations in the area of conflict prevention and the maintenance of peace,

Recalling the provisions of Chapter VIII of the Charter on regional arrangements or agencies, which set out the basic principles governing their activities and establish the legal framework for cooperation with the United Nations, in the area of the maintenance of international peace and security,

Recalling also the agreement of 15 November 1965 on cooperation between the United Nations and the Organization of African Unity[314] as updated and signed on 9 October 1990 by the Secretaries-General of the two organizations,

Recalling further the resolutions of the General Assembly on the enhancement of cooperation between the United Nations and the Organization of African Unity, in particular resolutions 43/12 of 25 October 1988, 43/27 of 18 November 1988, 44/17 of 1 November 1989, 47/148 of 18 December 1992, 48/25 of 29 November 1993, 49/64 of 15 December 1994, and 50/158 of 21 December 1995,

Mindful of the need for continued cooperation between the United Nations and its relevant bodies and specialized agencies on the one hand, and the Organization of African Unity and subregional organizations in Africa on the other,

Welcoming the high-level meeting between the United Nations and regional organizations held in New York on 28 July 1998, and encouraging the holding of such meetings at regular intervals,

Noting that subregional arrangements in Africa, as well as the Organization of African Unity through its Mechanism for Conflict Prevention, Management and Resolution, are developing their capacities in preventive diplomacy, and encouraging African States to make use of these arrangements and mechanisms in the prevention of conflict and maintenance of peace in Africa,

I

1. *Urges* the Secretary-General, through the use of the United Nations Trust Fund for Improving Preparedness for Conflict Prevention and Peacekeeping in Africa, to assist in the establishment within the Organization of African Unity of an

early warning system based on the model currently being used by the United Nations, and to assist in strengthening and making operational the conflict management centre of the Organization of African Unity and its situation room;

2. *Encourages* contributions to the Trust Fund and to the Peace Fund of the Organization of African Unity, and also encourages the Secretary-General to develop a strategy for the purpose of enhancing contributions to the Trust Fund;

3. *Requests* the Secretary-General to continue to assist Member States in the further development of commonly accepted peacekeeping doctrine and to share existing peacekeeping doctrine and concepts of operation with the Organization of African Unity and subregional organizations in Africa;

4. *Invites* the Secretary-General to assist the Organization of African Unity and subregional organizations in Africa to establish logistics assessment teams through the sharing of information on the establishment, composition, methods and functioning of United Nations logistics assessment teams, and also invites the Secretary-General to assist the Organization of African Unity and subregional organizations, as appropriate, to determine the logistical and financial requirements of regional or subregional peacekeeping operations authorized by the Council;

5. *Encourages* the establishment of partnerships between States and regional and subregional organizations involved in peacekeeping operations, in which one or more States or organizations contribute troops and others contribute equipment, encourages the Secretary-General to facilitate efforts to that end, and requests him to consider developing a framework to coordinate such partnerships;

6. *Commends* the various initiatives taken by several States to enhance African preparedness to participate in the military, police, humanitarian and other civilian components of peacekeeping operations, and in this context encourages joint training and simulation exercises and seminars with African peacekeepers;

7. *Welcomes* the proposal by the Economic Community of West African States to establish a Council of Elders within its Mechanism for the Prevention, Management, Resolution of Conflicts, Peacekeeping and Security for the purpose of facilitating mediation efforts, and urges the Secretary-General, in consultation with the Executive Secretary of the Economic Community of West African States, to assist in facilitating its establishment and to help to ensure its effectiveness;

II

8. *Endorses* the establishment of a United Nations Preventive Action Liaison Office in the Organization of African Unity, and urges the Secretary-General to consider ways of making this office more effective and also the possibility of appointing liaison officers to peacekeeping operations of the Organization of African Unity and of subregional organizations in Africa, which are authorized by the Council;

9. *Encourages* the enhancement of consultation and coordination between the United Nations and the Organization of African Unity and between the United Nations and subregional organizations in Africa, both at the field and headquarters level, and recognizes that the nomination of joint special representatives may be useful to further these aims;

10. *Welcomes* the fact that both the United Nations and the Organization of African Unity have agreed to strengthen and broaden their cooperation on measures to prevent and resolve conflicts in Africa, and in this regard invites the Secretary-General:

(*a*) To adopt measures for an improved flow of information through systematic mechanisms between the United Nations and Organization of African Unity and between the United Nations and subregional organizations in Africa;

(*b*) To develop, in collaboration with the Organization of African Unity and with subregional organizations in Africa, common indicators for early warning, and share, as appropriate, early warning information both with their field representatives on the ground and with their headquarters;

(*c*) To arrange, in collaboration with the Organization of African Unity and with subregional organizations in Africa, occasional visits of staff at working level between the United Nations and the Organization of African Unity and between the United Nations and subregional organizations in Africa;

(*d*) To arrange, in collaboration with the Organization of African Unity and with subregional organizations in Africa, joint expert meetings on certain specific areas of early warning and prevention, including joint reviews of potential and existing conflicts with a view to coordinating initiatives and actions;

11. *Requests* the Secretary-General to implement the present resolution in the course of his ongoing efforts to develop cooperation with the Organization of African Unity and subregional organizations in Africa and, where necessary, drawing on the Trust Fund, and to keep the Council informed periodically, as necessary, on the implementation of the present resolution;

12. *Decides* to remain seized of the matter.

Adopted unanimously at the 3928th meeting.

Decisions

At its 3931st meeting, on 24 September 1998, the Security Council considered the item entitled:

"The situation in Africa

> "Report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318)".[309]

At the same meeting, the Council decided to extend an invitation to Mr. Blaise Compaoré, President of Burkina Faso and current Chairman of the Organization of African Unity, to sit at the Council table during the discussion of the item.

At the same meeting, the Council also decided to extend an invitation to Mr. Salim Ahmed Salim, Secretary-General of the Organization of African Unity, to sit at the Council table during the discussion of the item.

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[318]

> "The Security Council met on 24 September 1998, at the level of Ministers for Foreign Affairs, in accordance with its resolution 1170 (1998) of 28 May 1998, to assess progress in achieving peace and security in Africa since the last ministerial meeting on 25 September 1997. It recalls the statement by its President of 25 September 1997[310] and reiterates its appreciation to the Secretary-General for his report of 13 April 1998.[311]
>
> "The Council reaffirms its commitment to Africa in the areas of conflict prevention and the maintenance of international peace and security, in accordance with its responsibility under the Charter of the United Nations. It also reaffirms the principles of the political independence, sovereignty and territorial integrity of all States.
>
> "The Council underlines the fact that peaceful societies rest upon respect for fundamental human rights and the dignity and worth of the human person. It recognizes the close linkage between the promotion of economic and social development and the prevention of conflict. It stresses that the quest for peace in Africa requires a comprehensive, concerted and determined approach, encompassing the eradication of poverty, the promotion of democracy, sustainable development and respect for human rights, as well as conflict prevention and resolution, including peacekeeping, and humanitarian assistance. It underlines the fact that genuine political will is necessary, in Africa and beyond, to achieve durable results towards these ends, and stresses the urgent need for Member States, the United Nations system, including the General Assembly and the Economic and Social Council, the international financial institutions and other relevant organizations to continue to consider appropriate action in response to the comprehensive recommendations set out by the Secretary-General in his report.
>
> "The Council recognizes the positive developments in Africa in the past year and welcomes progress achieved by African States in promoting democratization, economic reform, the protection of human rights and sustainable development. It commends efforts by African States and regional and subregional organizations, in particular the Organization of African Unity, to resolve conflicts by peaceful means. It welcomes progress made in Sierra Leone and the Central African Republic, and in the peace process in Burundi. It urges all States and relevant bodies to provide financial and technical support to strengthen African regional and subregional arrangements for conflict prevention, the maintenance of peace and security and dispute settlement. It calls for an enhanced partnership between the United Nations and African regional and subregional organizations in support of these efforts.
>
> "The Council expresses its continuing concern over the number and intensity of, and the interrelationship among, conflicts in Africa, and especially at the emergence of new conflicts during the past year. The border conflict between Ethiopia and Eritrea, the resurgence of the conflict in the Democratic Republic of the Congo, the impasse in the peace process in Angola, the continued violence in Sierra Leone, and the complex emergencies in Somalia and Sudan, among others, cause grave concern. These situations, which in some cases threaten the stability of large parts of the continent, call for concerted action by African States, the international community and the United Nations system to prevent further tragedy.
>
> "The Council urgently calls upon African States and all parties concerned to demonstrate the political will to settle their disputes by peaceful rather than military means, in accordance with the Charter of the United Nations, and to respect international humanitarian law and the sovereignty, political independence and territorial integrity of States in the region. It also encourages States in the region to continue to improve the implementation of good governance and undertake the various reforms needed to promote economic growth. It calls upon the international community to assist those efforts initiated by African States and regional and subregional organizations aimed at such goals.
>
> "For its part, the Council expresses its renewed commitment to contributing to conflict resolution in Africa. In this context, it recalls its decisions during the past year to authorize two new United Nations peacekeeping operations, in the Central African Republic and Sierra Leone, to assist efforts towards peace and national reconciliation. It also expresses its determination to improve further its ability to prevent conflicts, and to make its responses to conflicts more efficient and effective, and underlines its support for measures taken within the United Nations system to strengthen post-conflict peace-building efforts.
>
> "The Council, based on the recommendations of its ad hoc Working Group established pursuant to its resolution 1170 (1998), has already begun to take concrete steps as part of a wider, comprehensive response to the recommendations put forward by the Secretary-General. It has taken action to help to strengthen support for regional and subregional initiatives as well as to enhance coordination between the United Nations and regional and subregional organizations in the areas of conflict prevention and the maintenance of peace. It has also taken action in order to strengthen the effectiveness of arms embargoes imposed by the Council and addressed the need to support the strengthening of African peacekeeping capacity.
>
> "The Council encourages the ad hoc Working Group to continue its work, in accordance with its mandate, and to elaborate further concrete recommendations to the Council, in particular on the need to stem illicit arms flows to and in Africa and with regard to measures to assist host Governments in Africa in maintaining the security and neutrality of refugee camps and to enhance the ability of the Council to monitor activities authorized by it but carried out by Member States or coalitions of Member States.

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[318] S/PRST/1998/29.

"The Council, recognizing that the challenge of achieving peace and security in Africa is a continuous process, will continue to assess progress in promoting peace and security in Africa at the level of Ministers for Foreign Affairs, on a biennial basis, in accordance with its resolution 1170 (1998)."

At its 3945th meeting, on 19 November 1998, the Council considered the item entitled:

"The situation in Africa

"Report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318)".[309]

Resolution 1208 (1998) of 19 November 1998

The Security Council,

Reaffirming its resolution 1170 (1998) of 28 May 1998,

Reaffirming also the statements by its President of 19 June 1997,[319] 16 September 1998[315] and 29 September 1998,[320]

Emphasizing that the provision of security to refugees and the maintenance of the civilian and humanitarian character of refugee camps and settlements is an integral part of the national, regional and international response to refugee situations and can contribute to the maintenance of international peace and security,

Having considered the report of the Secretary-General of 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa", which was submitted to the General Assembly and to the Security Council[311] in accordance with the statement by its President of 25 September 1997,[310]

Taking note of the report of the Secretary-General of 22 September 1998 on protection for humanitarian assistance to refugees and others in conflict situations,[321]

Recognizing the extensive experience of African States in hosting refugees and in dealing with the effects of refugee camps and settlements,

Affirming the civilian and humanitarian character of refugee camps and settlements, and in this regard underlining the unacceptability of using refugees and other persons in refugee camps and settlements to achieve military purposes in the country of asylum or in the country of origin,

Noting the diverse causes of insecurity of refugee camps and settlements in Africa, including the presence of armed or military elements and other persons who do not qualify for international protection afforded refugees or otherwise do not require international protection, differences within the refugee population, conflicts between refugees and the local population, common crime and banditry and the flow of arms,

Recognizing the need to take steps to assist African States to improve the security of refugees and to maintain the civilian and humanitarian character of refugee camps and settlements in accordance with international refugee, human rights and humanitarian law,

Stressing the particular security needs of women, children and the elderly, who are the most vulnerable groups in refugee camps and settlements,

Recalling General Assembly resolutions 52/103 and 52/132 of 12 December 1997 regarding, respectively, the Office of the United Nations High Commissioner for Refugees and human rights and mass exoduses,

1. *Reaffirms* the importance of the principles relating to the status of refugees and the common standards for their treatment contained in the Convention relating to the Status of Refugees of 28 July 1951,[322] as modified by the Protocol of 31 January 1967;[323]

2. *Underlines* the particular relevance of the provisions contained in the Organization of African Unity Convention governing the specific aspects of refugee problems in Africa of 10 September 1969;[324]

3. *Affirms* the primary responsibility of States hosting refugees to ensure the security and civilian and humanitarian character of refugee camps and settlements in accordance with international refugee, human rights and humanitarian law;

4. *Calls upon* African States further to develop institutions and procedures to implement the provisions of international law relating to the status and treatment of refugees and the provisions of the Organization of African Unity Convention, especially those relating to the location of refugees at a reasonable distance from the frontier of their country of origin and the separation of refugees from other persons who do not qualify for international protection afforded refugees or otherwise do not require international protection, and in this regard urges African States to seek international assistance, as appropriate;

5. *Recognizes* the primary responsibility of the Office of the United Nations High Commissioner for Refugees, with the assistance of other relevant international bodies and organizations, to support African States in their actions directed towards the full respect and implementation of the provisions of international law relating to the status and treatment of refugees, and requests the Office of the High Commissioner, as needed, to keep in close touch with the Secretary-General, the Organization of African Unity, subregional organizations and the States concerned in this regard;

6. *Notes* that a range of measures by the international community is needed to share the burden borne by African States hosting refugees and to support their efforts to ensure the security and civilian and humanitarian character of refugee

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[319] S/PRST/1997/34.

[320] S/PRST/1998/30.

[321] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/883.

[322] United Nations, *Treaty Series*, vol. 189, No. 2545.

[323] Ibid., vol. 606, No. 8791.

[324] Ibid., vol. 1001, No. 14691.

camps and settlements, including in the areas of law enforcement, disarmament of armed elements, curtailment of the flow of arms in refugee camps and settlements, separation of refugees from other persons who do not qualify for international protection afforded refugees or otherwise do not require international protection, and demobilization and reintegration of former combatants;

7. *Notes also* that the range of measures referred to in paragraph 6 above could include training, logistical and technical advice and assistance, financial support, the enhancement of national law enforcement mechanisms, the provision or supervision of security guards and the deployment in accordance with the Charter of the United Nations of international police and military forces;

8. *Requests* the Secretary-General to respond, as appropriate, to requests from African States, the Organization of African Unity and subregional organizations for advice and technical assistance in the implementation of international refugee, human rights and humanitarian law relevant to the present resolution, including through appropriate training programmes and seminars;

9. *Urges* the Office of the High Commissioner, other relevant United Nations bodies and organizations, Member States, the Organization of African Unity and subregional organizations to initiate coordinated programmes to provide advice, training and technical or other assistance, as appropriate, to African States which host refugee populations, with a view to strengthening their capacity to implement the obligations referred to in paragraph 4 above, and encourages relevant non-governmental organizations to participate in such coordinated programmes when appropriate;

10. *Encourages* the Secretary-General and Member States involved in efforts to enhance Africa's peacekeeping capacity to continue to ensure that training gives due emphasis to international refugee, human rights and humanitarian law and in particular to the security of refugees and the maintenance of the civilian and humanitarian character of refugee camps and settlements;

11. *Expresses its support* for the inclusion in the United Nations stand-by arrangements of military and police units and personnel trained for humanitarian operations, as well as related equipment, which relevant United Nations bodies and organizations could draw on in providing advice, supervision, training and technical or other assistance related to the maintenance of the security and civilian and humanitarian character of refugee camps and settlements, in coordination as appropriate with the African States hosting refugees;

12. *Requests* the Secretary-General to consider the establishment of a new category within the United Nations Trust Fund for Improving Preparedness for Conflict Prevention and Peacekeeping in Africa to support, as needed, and in addition to existing sources of funding, the provision of advice, supervision, training and technical or other assistance related to the maintenance of the security and civilian and humanitarian character of refugee camps and settlements, including those activities referred to in paragraph 11 above, and urges Member States to contribute to the Fund;

13. *Also requests* the Secretary-General to continue his consultations with Member States, regional and subregional organizations and other relevant international bodies and organizations and to keep it informed about developments in Africa related to the security and civilian and humanitarian character of refugee camps and settlements which affect the maintenance of international peace and security in the region, and to recommend concrete measures, such as those mentioned in paragraph 7 above, as needed, in this regard;

14. *Expresses its readiness* to consider the recommendations referred to in paragraph 13 above in accordance with its responsibilities under the Charter;

15. *Requests* all Member States, relevant international bodies and organizations and all regional and subregional organizations to consider, as appropriate, the application of the measures contained in the present resolution to regions other than Africa;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the
3945th meeting.

Resolution 1209 (1998)
of 19 November 1998

The Security Council,

Reaffirming its resolutions 1170 (1998) of 28 May 1998, 1196 (1998) of 16 September 1998 and 1197 (1998) of 17 September 1998,

Recalling the statements by its President of 25 September 1997,[310] 16 September 1998[315] and 24 September 1998,[318]

Having considered the recommendations contained in the report of the Secretary-General of 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa"[311] regarding the importance of stemming the illicit arms flows to and in Africa,

Recognizing the close relationship of the problem of illicit arms flows to and in Africa with international peace and security,

Recognizing with concern that commercial and political motives play an unduly important role in the illicit transfer and accumulation of small arms in Africa,

Stressing the close linkage between international peace and security and sustainable development and the need for the international community to respond to the challenge of illicit arms flows to and in Africa in a comprehensive manner, encompassing not only the field of security but that of social and economic development,

Reaffirming the right of African States to procure or produce necessary weapons to meet their legitimate national security and public order needs in accordance with the Charter of the United Nations and other rules and principles of international law,

Welcoming the offer of the Government of Switzerland to host in Geneva, not later than 2001, an international conference on the illicit arms trade in all its aspects,

Welcoming also the negotiation process in Vienna on the elaboration of an international convention against transnational organized crime, including a protocol to combat illicit manufacturing of and trafficking in firearms, *Welcoming further* the ongoing work of the Secretary-General on small arms and light weapons pursuant to General Assembly resolutions 50/70 B of 12 December 1995 and 52/38 J of 9 December 1997, including the work of the group of governmental experts nominated by him, and noting the findings pertaining to illicit arms flows to and in Africa in the report on small arms submitted by the Secretary-General on 27 August 1997,[325]

Welcoming the decision of the Secretary-General to coordinate all action on small arms within the United Nations system through the Coordinating Action on Small Arms, for which the Department of Disarmament Affairs of the Secretariat is designated as the focal point,

Commending the national, bilateral and subregional initiatives being taken in Africa in combating illicit arms flows, such as those that have been taken in Mali and Mozambique, by the Economic Community of West African States and the Southern African Development Community,

Welcoming the decision by the Organization of African Unity to prepare a situation report on Africa containing detailed information on the magnitude of the problem of small arms proliferation as well as appropriate policy recommendations,

1. *Expresses its grave concern* at the destabilizing effect of illicit arms flows, in particular of small arms, to and in Africa and at their excessive accumulation and circulation, which threaten national, regional and international security and have serious consequences for development and for the humanitarian situation in the continent;

2. *Encourages* African States to enact legislation on the domestic possession and use of arms, including the establishment of national legal and judicial mechanisms for the effective implementation of such laws, and to implement effective import, export and re-export controls, and encourages the international community, in consultation with African States, to assist in these efforts;

3. *Stresses* the importance of all Member States, in particular States involved in the manufacturing or marketing of weapons, restricting arms transfers which could provoke or prolong armed conflicts or aggravate existing tensions or conflicts in Africa, such as through voluntary moratoria;

4. *Encourages* African States to participate in the United Nations Register of Conventional Arms, encourages also the establishment of appropriate regional or subregional registers of conventional arms on the basis of agreement reached by African States concerned, and encourages Member States to explore other appropriate ways to enhance transparency of arms transfers to and in Africa;

5. *Urges* Member States with relevant expertise to cooperate with African States to strengthen their capacity to combat illicit arms flows, including through the tracking and interdiction of illicit arms transfers;

6. *Welcomes* the declaration of a moratorium adopted by the Heads of State and Government of the Economic Community of West African States, adopted in Abuja on 31October 1998,[326] and urges other subregional organizations in Africa to consider taking similar measures;

7. *Encourages* African States to examine the efforts undertaken in other regions such as by the Organization of American States and the European Union in preventing and combating illicit arms flows, and to consider adopting similar measures as appropriate;

8. *Welcomes* the intention of the Secretary-General to accord high priority to the role of the United Nations in promoting better understanding of the direct and indirect consequences of illicit arms flows, and stresses the importance of bringing the negative impact of illicit arms flows to and in Africa to the widest possible public attention;

9. *Encourages* the Secretary-General to explore means of identifying international arms dealers acting in contravention of national legislation or embargoes established by the United Nations on arms transfers to and in Africa;

10. *Also encourages* the Secretary-General to promote cooperation among Member States, the United Nations, regional and subregional organizations and other relevant organizations to collect, review and share information on combating illicit arms flows, especially regarding small arms, and to make available, as appropriate, information about the nature and general scope of the international illicit arms trade with and in Africa;

11. *Reiterates* the obligation of all Member States to carry out decisions of the Council on arms embargoes, and in this context notes the broader implications of the findings and experience of the International Commission of Inquiry established by its resolution 1013 (1995) of 7 September 1995 and reactivated in accordance with its resolution 1161 (1998) of 9 April 1998, and requests the Secretary-General to consider the possible application of such a measure to other conflict zones in Africa with specific emphasis on the sources of such arms and, if appropriate, make recommendations to the Council;

12. *Encourages* the Secretary-General, in consultation with Member States, to explore means for collecting, sharing and disseminating information, including technical information, on illicit small arms flows and their destabilizing effects, in order to improve the ability of the international community to prevent the exacerbation of armed conflicts and humanitarian crises, as well as means for the rapid exchange of data on possible violations of arms embargoes;

13. *Requests* the Secretary-General to consider practical ways to work with African States in implementing national, regional or subregional programmes for voluntary weapons collection, disposal and destruction, including the possibility of the establishment of a fund to support such programmes;

14. *Recognizes* the important contribution of programmes for voluntary weapons collection, disposal and destruction in specific post-conflict situations in Africa, and expresses its intention to consider including, as appropriate, means to facilitate the successful conduct of such programmes

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[325] A/52/298.

[326] *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/1194, annex.

in the mandates of future peacekeeping operations it authorizes in Africa on the basis of recommendations by the Secretary-General;

15. *Calls upon* regional and subregional organizations in Africa to strengthen efforts to establish mechanisms and regional networks among relevant authorities of their Members States for information sharing to combat the illicit circulation of and trafficking in small arms;

16. *Decides* to remain seized of the matter.

Adopted unanimously at the 3945th meeting.

Decisions

At its 3950th meeting, on 30 November 1998, the Security Council considered the item entitled:

"The situation in Africa

"Report of the Secretary-General on the causes of conflict and the promotion of durable peace and sustainable development in Africa (S/1998/318)".[309]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[327]

"The Security Council recalls the report of the Secretary-General of 13 April 1998 entitled 'The causes of conflict and the promotion of durable peace and sustainable development in Africa'.[311] While reaffirming its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security, it underlines the increasingly important role of regional arrangements and agencies and of coalitions of Member States in the conduct of activity in this field. The Council reaffirms that all such activity undertaken under regional arrangements or by regional agencies, including enforcement action, shall be carried out in accordance with Articles 52, 53 and 54 of Chapter VIII of the Charter . It also underlines the importance of all such activity being guided by the principles of sovereignty, political independence and territorial integrity of all States, and by the operational principles for United Nations peacekeeping operations set out in the statement by its President of 28 May 1993.[328]

"The Council welcomes the views expressed by the Secretary-General in paragraphs 42 to 44 of his report, in particular as they relate to Africa. It recognizes that the authorization by the Council of action by regional or subregional organizations, or by Member States or coalitions of States, can be one type of effective response to conflict situations, and commends Member States and regional and subregional organizations which have undertaken efforts and initiatives towards the maintenance of peace and security. In order to enhance its ability to monitor any activities that it has authorized, the Council expresses its readiness to examine appropriate measures whenever such an authorization is being considered.

"In this regard, the Council notes that there is a wide variety of arrangements and relationships which have developed in different instances of cooperation between the United Nations, Member States and regional and subregional organizations in the maintenance of peace and security, and that monitoring requirements will vary and should be tailored according to the specifics of the operations in question, including in relation to ongoing peace efforts. But, in general, operations should have a clear mandate, including a statement of objectives, rules of engagement, a well-developed plan of action, a time-frame for disengagement, and arrangements for regular reporting to the Council. The Council affirms that a high standard of conduct is essential for successful operations, and recalls the role of the United Nations in setting general standards of peacekeeping. The Council stresses that missions and operations must ensure that their personnel respect and observe international law, including humanitarian, human rights and refugee law.

"The Council is also of the view that, where necessary or desirable, monitoring of such activities could also be enhanced by the inclusion of certain civilian elements, for instance dealing with political and human rights issues, within missions and operations. In this context, the Council also recognizes that the attachment of a United Nations liaison officer or team could improve the flow of information between the Council and those engaged in the conduct of an operation authorized by it but carried out by a coalition of Member States or a regional or subregional organization. It expresses its readiness to consider, in consultation with the Member States and the regional or subregional organization concerned, the deployment of liaison officers to such operations, on the basis of recommendations by the Secretary-General and as proposed in paragraph 8 of its resolution 1197 (1998) of 18 September 1998. In the case of operations conducted by regional or subregional organizations, the Council also expresses its readiness to consider, in consultation with the regional or subregional organization concerned, whether the deployment of liaison officers at the headquarters of the organization would be valuable.

"The Council also underlines the fact that the monitoring of such operations could be enhanced by the improved flow and exchange of information, *inter alia*, through regular submission of reports, as in the case of the Inter-African Mission to Monitor the Implementation of the Bangui Agreements in the Central African Republic, and through the holding of regular briefing meetings between its members and regional and subregional organizations and Member States conducting such operations, and troop contributors and other participating Member States.

"The Council shares the view of the Secretary-General that one possible means of monitoring activities of forces authorized by it, while also contributing to the broader aspects of a peace process, is through co-deployment of United Nations observers and other personnel together with an operation carried out by a regional or subregional organization or by a coalition of Member States. The Council agrees with the Secretary-General that, while such collaboration is not applicable in all cases, co-deployment can make an important contribution to peacekeeping efforts, as in the cases of Liberia and Sierra Leone where United Nations observer missions have been deployed alongside the Monitoring Group of the Economic Community of West African States.

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[327] S/PRST/1998/35.

[328] S/25859; see *Resolutions and Decisions of the Security Council, 1993*.

"The Council underlines the importance, whenever the United Nations deploys forces alongside forces of regional or subregional organizations or Member States, of establishing a clear framework for cooperation and coordination between the United Nations and the regional or subregional organizations or coalition of Member States concerned. Such a framework should include specifying objectives, the careful delineation of the respective roles and responsibilities of the United Nations and the regional or subregional organization or coalition concerned and of the areas of interaction of forces, and clear provisions regarding the safety and security of personnel. The Council also stresses the importance of ensuring that United Nations missions maintain their identity and autonomy with regard to operational command and control and logistics.

"The Council urges Member States and regional and subregional organizations to ensure the Council is kept fully informed of their activities for the maintenance of peace and security. The Council undertakes to consult regularly with Member States and regional and subregional organizations involved in such activities to facilitate this."

LETTER DATED 31 MARCH 1998 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF PAPUA NEW GUINEA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

Decisions

At its 3874th meeting, on 22 April 1998, the Security Council decided to invite the representative of Papua New Guinea to participate, without vote, in the discussion of the item entitled "Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council (S/1998/287)".[329]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[330]

> "The Security Council, taking note of the development of the Bougainville conflict, strongly supports the Agreement on Peace, Security and Development on Bougainville, signed at Lincoln University, New Zealand, on 23 January 1998 (the "Lincoln Agreement"),[331] achieved by the Government of Papua New Guinea, the Bougainville Transitional Government, the Bougainville Resistance Force, the Bougainville Interim Government, the Bougainville Revolutionary Army and the Bougainville leaders, with regard to a ceasefire among conflicting parties.
>
> "The Council welcomes the extension of the period of truce, and welcomes further a permanent and irrevocable ceasefire which will take effect on 30 April 1998 as stipulated in the Lincoln Agreement.
>
> "The Council encourages all parties to cooperate in promoting reconciliation, so that the objectives of the Lincoln Agreement can be met, and urges all parties to continue to cooperate in accordance with the Lincoln Agreement in order to achieve and maintain peace, to renounce the use of armed force and violence, to resolve any differences by consultation, both now and in the future, and to confirm their respect for human rights and the rule of law.
>
> "The Council commends the efforts of countries in the region for the resolution of the conflict, and welcomes the establishment, as outlined in the Lincoln Agreement, of the peace-monitoring group composed of civilian and military personnel from Australia, Fiji, New Zealand and Vanuatu, the mandate of which is to monitor the implementation of the said Agreement.
>
> "The Council notes that the Lincoln Agreement calls for the United Nations to play a role in Bougainville, and requests the Secretary-General to consider the composition and financial modalities of such involvement by the United Nations.
>
> "The Council will remain seized of the matter."

On 15 June 1998, the President of the Security Council addressed the following letter to the Secretary-General:[332]

> "I have the honour to inform you that your letter dated 2 June 1998 concerning your intention to establish a United Nations political office in Arawa, Bougainville, Papua New Guinea,[333] in response to the request of the Security Council in its presidential statement of 22 April

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[329] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*.

[330] S/PRST/1998/10.

[331] See *Official Records of the Security Council, Fifty-third Year, Supplement for January, February and March 1998*, document S/1998/287.

[332] S/1998/507.

[333] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/506.

1998,[330] has been brought to the attention of the members of the Council. They welcome your conclusion on this issue and agree with the intention expressed in your letter, taking note that the financial modalities will be handled in accordance with the briefing provided by the Under-Secretary-General for Political Affairs, Mr. Kieren Prendergast on 11 June 1998."

On 11 December 1998, the President of the Security Council addressed the following letter to the Secretary-General:[334]

> "I have the honour to inform you that your letter dated 20 November 1998 concerning the United Nations Political Office in Bougainville[335] has been brought to the attention of the members of the Security Council.
>
> "Following the briefing to the Council on 9 December 1998 by the Director of the Asia and the Pacific Division of the Department of Political Affairs of the Secretariat, members of the Council agree with your proposal to extend the mandate of the Office in Bougainville until December 1999, subject to a review by the Council of the situation in Bougainville and activities of the Office there in June 1999. Members of the Council welcome your decision to appoint Mr. Noel Sinclair to head the Office. The Council also takes note of your intention to brief them, on a quarterly basis, on progress achieved in the implementation of the objectives set forth in the Lincoln Agreement of 23 January 1998[331] and the Arawa Agreement of 30 April 1998,[336] and requests you, as part of the first of those briefings, to provide details of the programme of work of the Office for 1999 in relation to the peace process in Bougainville."

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[334] S/1998/1157.

[335] *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/1156.

[336] Ibid., *Supplement for April, May and June 1998*, document S/1998/506, annex.

THE RESPONSIBILITY OF THE SECURITY COUNCIL IN THE MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY

[*Resolutions or decisions on this question were also adopted by the Security Council in 1992.*]

Decisions

At its 3881st meeting, on 14 May 1998, the Security Council considered the item entitled "The responsibility of the Security Council in the maintenance of international peace and security".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[337]

> "The Security Council strongly deplores the three underground nuclear tests that India conducted on 11 May 1998, and the two further tests conducted on 13 May 1998 despite overwhelming international concern and protests. The Council strongly urges India to refrain from any further tests. It is of the view that such testing is contrary to the de facto moratorium on the testing of nuclear weapons or other nuclear explosive devices and to global efforts towards nuclear non-proliferation and nuclear disarmament. The Council also expresses its concern at the effects of this development on peace and stability in the region.
>
> "The Council affirms the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[338] and the Comprehensive Nuclear-Test-Ban Treaty.[339] The Council appeals to India, and all other States which have not yet done so, to become parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to the Comprehensive Nuclear-Test-Ban Treaty without delay and without conditions. The Council also encourages India to participate, in a positive spirit, in the proposed negotiations with other States for a fissile-material cut-off treaty in Geneva with a view to reaching early agreement.
>
> "With a view to preventing an escalation in the arms race, in particular with regard to nuclear weapons and their delivery systems, and to preserving peace in the region, the Council urges States to exercise maximum restraint. The Council underlines the fact that the sources of tension in South Asia should be eliminated only through dialogue and not by military build-up.
>
> "The Council reiterates the statement by its President of 31 January 1992,[340] in which it was stated, *inter alia*, that the proliferation of all weapons of mass destruction constituted a threat to international peace and security."

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[337] S/PRST/1998/12.

[338] United Nations, *Treaty Series*, vol. 729, No. 10485.

[339] See General Assembly resolution 50/245.

[340] S/23500; see *Resolutions and Decisions of the Security Council, 1992*.

At its 3888th meeting, on 29 May 1998, the Council considered the item entitled "The responsibility of the Security Council in the maintenance of international peace and security".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[341]

> "The Security Council strongly deplores the underground nuclear tests that Pakistan conducted on 28 May 1998, despite overwhelming international concern and calls for restraint. Reaffirming the statement by its President of 14 May 1998, on Indian nuclear tests of 11 and 13 May,[337] the Council strongly urges India and Pakistan to refrain from any further tests. It is of the view that testing by India and then by Pakistan is contrary to the de facto moratorium on the testing of nuclear weapons or other nuclear explosive devices, and to global efforts towards nuclear non-proliferation and nuclear disarmament. The Council also expresses its concern at the effects of this development on peace and stability in the region.
>
> "The Council reaffirms the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[338] and the Comprehensive Nuclear-Test -Ban Treaty.[339] The Council appeals to India and Pakistan, and all other States which have not yet done so, to become parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to the Comprehensive Nuclear-Test-Ban Treaty, without delay and without conditions. The Council also encourages India and Pakistan to participate, in a positive spirit, in the proposed negotiations with other States for a fissile-material cut-off treaty in Geneva with a view to reaching early agreement.
>
> "The Council calls upon all parties to exercise maximum restraint and to take immediate steps to reduce and remove tensions between them. The Council reaffirms that the sources of tension in South Asia should be reduced and eliminated only through peaceful dialogue and not by the use of force or other military means.
>
> "The Council urges India and Pakistan to resume the dialogue between them on all outstanding issues, including all those that the parties have already discussed, especially matters concerning peace and security, in order to remove the tensions between them and to enhance their economic and political cooperation. The Council calls upon India and Pakistan to avoid any steps or statements that could lead to further instability or impede their bilateral dialogue.
>
> "The Council will remain seized of the matter."

At its 3890th meeting, on 6 June 1998, the Council decided to invite the representatives of Argentina, Australia, Canada, Egypt, the Islamic Republic of Iran, Kazakhstan, Mexico, New Zealand, Norway, Pakistan, the Republic of Korea, Ukraine and the United Arab Emirates to participate, without vote, in the discussion of the item entitled "The responsibility of the Security Council in the maintenance of international peace and security".

Resolution 1172 (1998)
of 6 June 1998

The Security Council,

Reaffirming the statements by its President of 14 May[337] and 29 May 1998,[341]

Reiterating the statement by its President of 31 January 1992,[340] in which it was stated, *inter alia*, that the proliferation of all weapons of mass destruction constituted a threat to international peace and security,

Gravely concerned at the challenge that the nuclear tests conducted by India and then by Pakistan constitute to international efforts aimed at strengthening the global regime of non-proliferation of nuclear weapons, and also gravely concerned at the danger to peace and stability in the region,

Deeply concerned at the risk of a nuclear arms race in South Asia, and determined to prevent such a race,

Reaffirming the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[338] and the Comprehensive Nuclear-Test-Ban Treaty[339] for global efforts towards nuclear non-proliferation and nuclear disarmament,

Recalling the principles and objectives for nuclear non-proliferation and disarmament adopted by the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[342] and the successful outcome of the Conference,

Affirming the need to continue to move with determination towards the full realization and effective implementation of all the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons, and welcoming the determination of the five nuclear-weapon States to fulfil their commitments relating to nuclear disarmament under article VI of the Treaty,

Mindful of its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security,

1. *Condemns* the nuclear tests conducted by India on 11 and 13 May 1998 and by Pakistan on 28 and 30 May 1998;

2. *Endorses* the joint communique issued by the Ministers for Foreign Affairs of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America at their meeting in Geneva on 4 June 1998;[343]

3. *Demands* that India and Pakistan refrain from further nuclear tests, and in this context calls upon all States

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[341] S/PRST/1998/17.

[342] See *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I)), annex, decision 2.

[343] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/473, annex.

not to carry out any nuclear weapon test explosion or any other nuclear explosion in accordance with the provisions of the Comprehensive Nuclear-Test-Ban Treaty;[339]

4. *Urges* India and Pakistan to exercise maximum restraint and to avoid threatening military movements, cross-border violations, or other provocations in order to prevent an aggravation of the situation;

5. *Also urges* India and Pakistan to resume the dialogue between them on all outstanding issues, particularly on all matters pertaining to peace and security, in order to remove the tensions between them, and encourages them to find mutually acceptable solutions that address the root causes of those tensions, including Kashmir;

6. *Welcomes* the efforts of the Secretary-General to encourage India and Pakistan to enter into dialogue;

7. *Calls upon* India and Pakistan immediately to stop their nuclear weapon development programmes, to refrain from weaponization or from the deployment of nuclear weapons, to cease development of ballistic missiles capable of delivering nuclear weapons and any further production of fissile material for nuclear weapons, to confirm their policies not to export equipment, materials or technology that could contribute to weapons of mass destruction or missiles capable of delivering them and to undertake appropriate commitments in that regard;

8. *Encourages* all States to prevent the export of equipment, materials or technology that could in any way assist programmes in India or Pakistan for nuclear weapons or for ballistic missiles capable of delivering such weapons, and welcomes national policies adopted and declared in this respect;

9. *Expresses its grave concern* at the negative effect of the nuclear tests conducted by India and Pakistan on peace and stability in South Asia and beyond;

10. *Reaffirms its full commitment* to and the crucial importance of the Treaty on the Non-Proliferation of Nuclear Weapons[338] and the Comprehensive Nuclear-Test-Ban Treaty as the cornerstones of the international regime on the non-proliferation of nuclear weapons and as essential foundations for the pursuit of nuclear disarmament;

11. *Expresses its firm conviction* that the international regime on the non-proliferation of nuclear weapons should be maintained and consolidated, and recalls that in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons neither India nor Pakistan can have the status of a nuclear-weapon State;

12. *Recognizes* that the tests conducted by India and Pakistan constitute a serious threat to global efforts towards nuclear non-proliferation and disarmament;

13. *Urges* India and Pakistan, and all other States that have not yet done so, to become parties to the Treaty on the Non-Proliferation of Nuclear Weapons and to the Comprehensive Nuclear-Test-Ban Treaty without delay and without conditions;

14. *Also urges* India and Pakistan to participate, in a positive spirit and on the basis of the agreed mandate, in negotiations at the Conference on Disarmament in Geneva on a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices, with a view to reaching early agreement;

15. *Requests* the Secretary-General to report urgently to the Council on the steps taken by India and Pakistan to implement the present resolution;

16. *Expresses its readiness* to consider further how best to ensure the implementation of the present resolution;

17. *Decides* to remain actively seized of the matter.

Adopted unanimously at the
3890th meeting.

THE SITUATION BETWEEN ERITREA AND ETHIOPIA

Decision

At its 3895th meeting, on 26 June 1998, the Security Council decided to invite the representatives of Eritrea and Ethiopia to participate, without vote, in the discussion of the item entitled "The situation between Eritrea and Ethiopia".

Resolution 1177 (1998)
of 26 June 1998

The Security Council,

Expressing grave concern at the conflict between Ethiopia and Eritrea, its political, humanitarian and security implications for the region, and its effect on the civilian populations there,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of Ethiopia and Eritrea,

Affirming also the principle of peaceful settlement of disputes, and stressing that the use of armed force is not acceptable as a means of addressing territorial disputes or changing circumstances on the ground,

Noting that the official statements by the Government of Ethiopia and the Government of Eritrea pledging to discontinue the threat of and use of air strikes in the conflict have contributed to the continuation of the efforts to achieve a peaceful resolution of the conflict, reduced the threat to the civilian populations as well as the economic and social infrastructure, and enabled the resumption of normal economic activity, including commercial transportation,

Noting the strong traditional ties between Ethiopia and Eritrea, *Welcoming* the official statements by the Government of Ethiopia and the Government of Eritrea that they share the ultimate goal of delimiting and demarcating their common border on the basis of a mutually agreeable and binding arrangement, taking into account the charter of the Organization of African Unity, colonial treaties, and international law applicable to such treaties,

Taking note of the resolution adopted by the Council of Ministers of the Organization of African Unity in a special session on 5 June 1998,[344]

Commending the efforts of the Organization of African Unity and of others, in cooperation with the that organization, to achieve a peaceful settlement of the conflict,

1. *Condemns* the use of force, and demands that both parties immediately cease hostilities and refrain from further use of force;

2. *Welcomes* the commitment of the parties to a moratorium on the threat of and use of air strikes;

3. *Urges* the parties to exhaust all means to achieve a peaceful settlement of the dispute;

4. *Expresses its strong support* for the decision of the Assembly of the Heads of State and Government of the Organization of African Unity of 10 June 1998,[345] as well as for the mission and efforts of the Heads of State, and urges the Organization of African Unity to follow up as quickly as possible;

5. *Calls upon* the parties to cooperate fully with the Organization of African Unity;

6. *Also calls upon* the parties to avoid any steps which would aggravate tensions, such as provocative actions or statements, and to take steps to build confidence between them, including by guaranteeing the rights and safety of each other's nationals;

7. *Requests* the Secretary-General to make available his good offices in support of a peaceful resolution of the conflict, and stands ready to consider further recommendations to this end;

8. Also requests the Secretary-General to provide technical support to the parties to assist in the eventual delimitation and demarcation of the common border between Ethiopia and Eritrea, and, for this purpose, establishes a trust fund, and urges all Member States to contribute to it;

9. *Decides* to remain seized of the matter.

Adopted unanimously at the
the 3895th meeting.

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[344] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/485, annex.

[345] Ibid., document S/1998/494, annex.

CHILDREN AND ARMED CONFLICT

Decisions

At its 3896th meeting, on 29 June 1998, the Security Council decided to invite the representatives of Argentina, Azerbaijan, Burundi, Canada, the Czech Republic, El Salvador, Germany, Indonesia, Italy, Latvia, Liberia, Morocco, Mozambique, Namibia, Norway, Romania, Slovakia and Ukraine to participate, without vote, in the discussion of the item entitled "Children and armed conflict".

At the same meeting, the Council decided to extend an invitation to Mr. Olara Otunnu, Special Representative of the Secretary-General for Children and Armed Conflict, under rule 39 of the provisional rules of procedure of the Council.

At its 3897th meeting, on 29 June 1998, the Council considered the item entitled "Children and armed conflict".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[346]

"The Security Council expresses its grave concern at the harmful impact of armed conflict on children.

"The Council strongly condemns the targeting of children in armed conflicts, including their humiliation, brutalization, sexual abuse, abduction and forced displacement, as well as their recruitment and use in hostilities in violation of international law, and calls upon all parties concerned to put an end to such activities.

"The Council calls upon all parties concerned to comply strictly with their obligations under international law, in particular their obligations under the Geneva Conventions of 1949,[347] the Additional Protocols thereto, of 1977[348] and the Convention on the Rights of the Child of 1989.[349] The Council stresses the obligation of all States to prosecute those responsible for grave breaches of international humanitarian law.

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[346] S/PRST/1998/18.

[347] United Nations, *Treaty Series*, vol. 75, Nos. 970–973.

[348] Ibid., vol. 1125, Nos. 17512 and 17513.

[349] General Assembly resolution 44/25, annex.

"The Council recognizes the importance of the mandate of the Special Representative of the Secretary-General for Children and Armed Conflict, supports his activities and welcomes his cooperation with all relevant programmes, funds and agencies of the United Nations system, which he deems appropriate.

"The Council expresses its intention to pay serious attention to the situation of children affected by armed conflicts and, to this end, to maintain contact, as appropriate, with the Special Representative of the Secretary-General and with the relevant programmes, funds and agencies of the United Nations system.

"The Council, while dealing with situations of armed conflict, expresses its readiness to consider, when appropriate, means to assist with the effective provision and protection of humanitarian aid and assistance to civilian populations in distress, in particular women and children; to consider appropriate responses whenever buildings or sites that usually have a significant presence of children, such as schools, playgrounds and hospitals, are specifically targeted; to support efforts aimed at obtaining commitments to put to an end the recruitment and use of children in armed conflicts in violation of international law; to give special consideration to the disarmament and demobilization of child soldiers and to the reintegration into society of children maimed or otherwise traumatized as a result of an armed conflict; and to support or promote child-focused mine-clearance and mine-awareness programmes, as well as child-centred physical and social rehabilitation programmes.

"The Council recognizes the importance of special training of personnel involved in peacemaking, peacekeeping and peace-building activities in respect of the needs, interests and rights of children, as well as their treatment and protection.

"The Council further recognizes that, whenever measures are adopted under Article 41 of the Charter of the United Nations, consideration should be given to their impact on the civilian population, bearing in mind the needs of children, in order to consider appropriate humanitarian exemptions."

THE SITUATION IN THE OCCUPIED ARAB TERRITORIES

[*Resolutions or decisions on this question were also adopted by the Security Council in 1976, 1979 to 1983, 1985 to 1992 and 1994 to 1997.*]

Decisions

At its 3900th meeting, on 30 June 1998, the Security Council decided to invite the representatives of Algeria, Bangladesh, Colombia, Cuba, Egypt, Indonesia, the Islamic Republic of Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Malaysia, Mauritania, Morocco, Norway, Oman, Qatar, Saudi Arabia, the Sudan, the Syrian Arab Republic, Tunisia, the United Arab Emirates and Yemen to participate, without vote, in the discussion of the item entitled:

> "The situation in the occupied Arab territories
>
> > "Letter dated 23 June 1998 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council (S/1998/558)".[350]

At the same meeting, the Council decided to extend an invitation to the Permanent Observer of Palestine to the United Nations, at his request,[351] to address the Council in the course of its consideration of the item, under the provisional rules of procedure of the Council and its previous practice in that regard.

At the same meeting, the Council also decided to extend an invitation to the Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, under rule 39 of the provisional rules of procedure.

At the same meeting, the Council also decided, at the request of the representative of Bahrain,[352] to extend an invitation to Mr. Ali Al-Salafi, Chargé d'affaires a.i. of the Office of the Permanent Observer for the League of Arab States to the United Nations, under rule 39 of the provisional rules of procedure.

At the same meeting, the Council further decided, at the request of the representative of Qatar,[353] to extend an invitation to Mr. Mokhtar Lamani, Permanent Observer of the Organization of the Islamic Conference to the United Nations, under rule 39 of the provisional rules of procedure.

At its 3904th meeting, on 13 July 1998, the Council decided, in accordance with the decisions taken at the 3900th meeting, to invite the representative of Israel to participate, without vote, in the discussion of the item entitled:

> "The situation in the occupied Arab territories
>
> > "Letter dated 23 June 1998 from the Chargé d'affaires a.i. of the Permanent Mission of the Sudan to the United Nations addressed to the President of the Security Council (S/1998/558)".[350]

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[350] See *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998.*

[351] Document S/1998/587, incorporated in the record of the 3900th meeting.

[352] Document S/1998/588, incorporated in the record of the 3900th meeting.

[353] Document S/1998/592, incorporated in the record of the 3900th meeting.

At the same meeting, the Council also decided to invite the Permanent Observer of Palestine to the United Nations, in accordance with the decision taken at the 3900th meeting.

At the same meeting also, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[354]

> "The Security Council has considered the letters dated 18 and 22 June 1998,[355] as well as the letters dated 8, 9 and 15 June 1998,[356] from the Permanent Observer of Palestine to the United Nations, and the letter dated 23 June 1998 from the Permanent Representative of the Sudan to the United Nations, on behalf of the States members of the League of Arab States, relating to the issue of Jerusalem.[357]
>
> "The Council recognizes the importance and sensitivity of the issue of Jerusalem to all parties and expresses its support for the decision of the Palestine Liberation Organization and the Government of Israel, in accordance with the Declaration of Principles of 13 September 1993,[358] that the permanent status negotiations shall cover the issue of Jerusalem. The Council therefore calls upon the parties to avoid actions which might prejudice the outcome of these negotiations.
>
> "In the context of its previous relevant resolutions, the Council considers the decision by the Government of Israel on 21 June 1998 to take steps to broaden the jurisdiction and planning boundaries of Jerusalem a serious and damaging development. The Council therefore calls upon the Government of Israel not to proceed with that decision and also not to take any other steps which would prejudice the outcome of the permanent status negotiations. Further, the Council calls upon Israel to abide scrupulously by its legal obligations and responsibilities under the Geneva Convention relative to the Protection of Civilian Persons in Time of War of 12 August 1949.[359]
>
> "The Council supports the efforts of the United States aimed at breaking the stalemate in the peace process, calls upon the parties to respond positively to these efforts, notes that the Palestinian side has already given agreement in principle to the proposals of the United States of America, and expresses the hope that the permanent status negotiations can resume and progress can be made towards the achievement of a just, lasting and comprehensive peace based on Council resolutions 242 (1967) of 22 November 1967 and 338 (1973) of 22 October 1973.
>
> "The Council will keep Israeli actions under review."

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[354] S/PRST/1998/21.

[355] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, documents S/1998/535 and S/1998/557.

[356] Ibid., documents S/1998/481, S/1998/487 and S/1998/511.

[357] Ibid., document S/1998/558.

[358] Declaration of Principles on Interim Self-Government Arrangements, including its Annexes and Agreed Minutes, signed by the Government of Israel and the Palestine Liberation Organization in Washington, D.C. (see *Official Records of the Security Council, Forty-eighth Year, Supplement for October, November and December 1993*, document S/26560).

[359] United Nations, *Treaty Series*, vol. 75, No. 973.

THE SITUATION IN BURUNDI

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1993.*]

Decisions

On 30 June 1998, the President of the Security Council addressed the following letter to the Secretary-General:[360]

> "The Security Council takes note of the letter dated 23 June 1998 from the Secretary-General addressed to the President of the Security Council,[361] which refers to Council resolution 1012 (1995) of 28 August 1995, by which the Council requested the Secretary-General to establish an international commission of inquiry into the assassination of the President of Burundi on 21 October 1993, as well as to establish a trust fund to receive voluntary contributions, as a supplement to help to finance the work of the commission. The letter informs the Council that, according to the Financial Rules and Regulations of the United Nations, the legislative authority establishing a trust fund should formally decide to close it.
>
> "The Council hereby authorizes the closing of the trust fund established pursuant to resolution 1012 (1995)."

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[360] S/1998/591.

[361] S/1998/590.

On 19 October 1998, the President of the Security Council addressed the following letter to the Secretary-General:[362]

> "I have the honour to inform you that your letter dated 15 October 1998 concerning your decision to appoint Mr. Ayité Jean-Claude Kpakpo, of Benin, as Senior United Nations Adviser to the Facilitator of the Burundi peace process, Mr. Julius Nyerere,[363] has been brought to the attention of the members of the Security Council. They take note of the decision contained in your letter."

On 17 November 1998, the President of the Security Council addressed the following letter to the Secretary-General:[364]

> "I have the honour to inform you that your letter dated 11 November 1998[365] concerning your intention to extend the mandate of the United Nations Office in Burundi until the end of December 1999 has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[362] S/1998/969.

[363] S/1998/968.

[364] S/1998/1085.

[365] S/1998/1084.

LETTER DATED 29 JUNE 1998 FROM THE SECRETARY-GENERAL ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

LETTER DATED 25 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF THE DEMOCRATIC REPUBLIC OF THE CONGO TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

LETTER DATED 25 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF RWANDA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Decisions

At its 3903rd meeting, on 13 July 1998, the Security Council decided to invite the representatives of the Democratic Republic of the Congo and Rwanda to participate, without vote, in the discussion of the item entitled:

> "Letter dated 29 June 1998 from the Secretary-General addressed to the President of the Security Council (S/1998/581)[366]
>
> "Letter dated 25 June 1998 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the Secretary-General (S/1998/582)[366]
>
> "Letter dated 25 June 1998 from the Permanent Representative of Rwanda to the United Nations addressed to the Secretary-General (S/1998/583)".[366]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[367]

> "The Security Council condemns the massacres, other atrocities and violations of international humanitarian law committed in Zaire/Democratic Republic of the Congo, and especially its eastern provinces, including crimes against humanity and those other violations described in the report of the Secretary-General's Investigative Team.[368] It notes the responses to the report provided by the Governments of the Democratic Republic of the Congo[369] and Rwanda.[370] It recognizes the work of the Investigative Team in documenting some of these violations, in spite of the fact that the Team was not allowed to carry out its mission fully and without hindrance.
>
> "The Council reaffirms its commitment to the unity, sovereignty and territorial integrity of the States of the Great Lakes region.
>
> "The Council recognizes the necessity to investigate further the massacres, other atrocities and violations of international humanitarian law and to prosecute those responsible. It deplores the delay in the administration of justice. The Council calls upon the Governments of the Democratic Republic of the Congo and Rwanda to investigate without delay, in their respective countries, the allegations contained in the report of the Investigative Team and to bring to justice any persons found to have been involved in these or other massacres, atrocities and violations of international humanitarian law. The Council takes note of the stated willingness of the Government of the Democratic Republic of the Congo to try any of its nationals who are guilty of or were implicated in the

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[366] See *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998.*

[367] S/PRST/1998/20.

[368] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/581.

[369] Ibid., document S/1998/582.

[370] Ibid., document S/1998/583.

alleged massacres.[369] Such action is of great importance in helping to bring an end to impunity and to foster lasting peace and stability in the region. It urges Member States to cooperate with the Governments of the Democratic Republic of the Congo and Rwanda in the investigation and prosecution of these persons.

"The Council encourages the Governments of the Democratic Republic of the Congo and Rwanda to seek international assistance, such as technical assistance, as needed, in this process. It also invites the Governments concerned to consider the inclusion of international observers, as appropriate. It requests the Governments concerned to provide an initial progress report to the Secretary-General by 15 October 1998 on the steps being taken to investigate and prosecute those responsible.

"The Council expresses its readiness to consider, as necessary in the light of actions by the Governments of the Democratic Republic of the Congo and Rwanda, additional steps to ensure that the perpetrators of the massacres, other atrocities and violations of international humanitarian law are brought to justice.

"The Council urges Member States, relevant United Nations bodies and agencies and other international agencies to provide the necessary technical and other assistance, as requested, to the Governments of the Democratic Republic of the Congo and Rwanda in the development of independent and impartial judicial systems.

"The Council expresses support for United Nations and other international activities to reduce ethnic tensions and promote national reconciliation in the region, and encourages the Governments concerned to continue to cooperate in these activities to bring about a real improvement in the situation.

"The Council attaches great importance to the role of the Organization of African Unity and welcomes its decision to establish the International Panel of Eminent Personalities to Investigate the Genocide in Rwanda and the Surrounding Events.[371] It appeals to Member States to contribute to the special trust fund established to support the work of the Panel.

"The Council will remain actively seized of the matter."

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[371] Ibid., document S/1998/461.

THREATS TO PEACE AND SECURITY CAUSED BY INTERNATIONAL TERRORIST ACTS

Decision

At its 3915 meeting, on 13 August 1998, the Security Council decided to invite the representative of the United Republic of Tanzania to participate, without vote, in the discussion of the item entitled "Threats to peace and security caused by international terrorist acts".

Resolution 1189 (1998) of 13 August 1998

The Security Council,

Deeply disturbed by the indiscriminate and outrageous acts of international terrorism that took place on 7 August 1998 in Nairobi and Dar-es-Salaam,

Condemning such acts which have a damaging effect on international relations and jeopardize the security of States,

Convinced that the suppression of acts of international terrorism is essential for the maintenance of international peace and security, and reaffirming the determination of the international community to eliminate international terrorism in all its forms and manifestations,

Reaffirming the obligations of Member States under the Charter of the United Nations,

Stressing that every Member State has the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State or acquiescing in organized activities within its territory directed towards the commission of such acts,

Mindful of General Assembly resolution 52/164 of 15 December 1997 on the International Convention for the Suppression of Terrorist Bombings,

Recalling that, in the statement issued on 31 January 1992 on the occasion of the meeting of the Security Council at the level of heads of State and Government,[372] the Council expressed its deep concern over acts of international terrorism, and emphasized the need for the international community to deal effectively with all such criminal acts,

Stressing the need to strengthen international cooperation between States in order to adopt practical and effective measures to prevent, combat and eliminate all forms of terrorism affecting the international community as a whole,

Commending the responses of the Governments of Kenya, the United Republic of Tanzania and the United States of America to the terrorist bomb attacks in Kenya and the United Republic of Tanzania,

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[372] S/23500; see *Resolutions and Decisions of the Security Council, 1992.*

Determined to eliminate international terrorism,

1. *Strongly condemns* the terrorist bomb attacks in Nairobi and Dar-es-Salaam on 7 August 1998, which claimed hundreds of innocent lives, injured thousands of people and caused massive destruction to property;

2. *Expresses* to the families of the innocent victims of the terrorist bomb attacks during this difficult time its deep sorrow, sympathy and condolences;

3. *Calls upon* all States and international institutions to cooperate with and provide support and assistance to the ongoing investigations in Kenya, the United Republic of Tanzania and the United States of America to apprehend the perpetrators of these cowardly criminal acts and to bring them swiftly to justice;

4. *Expresses its sincere gratitude* to all States, international institutions and voluntary organizations for their encouragement and timely response to the requests for assistance from the Governments of Kenya and the United Republic of Tanzania, and urges them to assist the affected countries, especially in the reconstruction of infrastructure and disaster preparedness;

5. *Calls upon* all States to adopt, in accordance with international law and as a matter of priority, effective and practical measures for security cooperation, for the prevention of such acts of terrorism, and for the prosecution and punishment of their perpetrators;

6. *Decides* to remain seized of the matter.

Adopted unanimously at the 3915th meeting.

THE SITUATION CONCERNING THE DEMOCRATIC REPUBLIC OF THE CONGO

[*Resolutions or decisions on this question were also adopted by the Security Council in 1997.*]

Decisions

At its 3922nd meeting, on 31 August 1998, the Security Council decided to invite the representative of the Democratic Republic of the Congo to participate, without vote, in the discussion of the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[373]

> "The Security Council expresses its deep concern about the current conflict in the Democratic Republic of the Congo, which poses a serious threat to regional peace and security. The Council expresses alarm at the plight of the civilian population throughout the country.
>
> "The Council reaffirms the obligation to respect the territorial integrity and national sovereignty of the Democratic Republic of the Congo and other States in the region and the need for all States to refrain from any interference in each other's internal affairs. In this context, the Council calls for a peaceful solution to the conflict in the Democratic Republic of the Congo, including an immediate ceasefire, the withdrawal of all foreign forces, and the initiation of a peaceful process of political dialogue with a view to national reconciliation. The Council expresses support for all the regional diplomatic initiatives aimed at a peaceful settlement of the conflict. The problems of the Democratic Republic of the Congo must be solved on the basis of a process of all-inclusive national reconciliation which fully respects the equality and harmony of all ethnic groups and which leads to the holding of democratic, free and fair elections as soon as possible.
>
> "The Council urges all parties to respect and protect human rights and respect humanitarian law, in particular the Geneva Conventions of 1949[374] and the Additional Protocols thereto, of 1977,[375] as applicable to them. It condemns reported summary executions, torture, harassment and detention of civilians based on their ethnic origin, the recruitment and use of child soldiers, the killing or wounding of combatants who have laid down their weapons, hate propaganda, sexual violence and other abuses by any side. In particular, the Council calls for the protection of the civilian population. It recalls the unacceptability of the destruction or rendering useless of objects indispensable to the survival of the civilian population, and in particular of using cuts in the electricity and water supply as a weapon against the population. The Council reaffirms that all persons who commit or order the commission of grave breaches of the above-mentioned instruments are individually responsible in respect of such breaches.
>
> "The Council calls for safe and unhindered access for humanitarian agencies to all those in need in the Democratic Republic of the Congo. It calls for unrestricted access by the International Committee of the Red Cross to all detainees in the Democratic Republic of the Congo. It urges all parties to guarantee the safety and security of United Nations and humanitarian personnel.
>
> "The Council encourages the Secretary-General to continue to consult, as a matter of urgency, with regional leaders in coordination with the Secretary-General of the Organization of African Unity about ways to bring about a peaceful and durable solution to the conflict, and to keep it informed about developments and his own efforts.

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[373] S/PRST/1998/26.

[374] United Nations, *Treaty Series*, vol. 75, Nos. 970-973.

[375] Ibid., vol. 1125, Nos. 17512 and 17513.

It reaffirms the importance of holding an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity.

"The Council will follow the situation in the Democratic Republic of the Congo closely. It will remain actively seized of the matter."

At its 3953rd meeting, on 11 December 1998, the Council considered the item entitled "The situation concerning the Democratic Republic of the Congo".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[376]

"The Security Council recalls the statement by its President of 31 August 1998 on the situation in the Democratic Republic of the Congo.[373] It remains deeply concerned about the continuing conflict in the Democratic Republic of the Congo, which threatens peace, security and stability in the region, and about its grave humanitarian consequences.

"The Council reaffirms the obligation to respect the territorial integrity, political independence and national sovereignty of the Democratic Republic of the Congo and other States in the region, including the obligation to refrain from the threat or use of force against the territorial integrity or political independence of any State or in any other manner inconsistent with the purposes of the United Nations. It also reaffirms the need for all States to refrain from any interference in each other's internal affairs, in accordance with the Charter of the United Nations.

"The Council, in this context, calls for a peaceful solution to the conflict in the Democratic Republic of the Congo, including an immediate ceasefire, the orderly withdrawal of all foreign forces, arrangements for security along the international borders of the Democratic Republic of the Congo, the re-establishment of the authority of the Government of the Democratic Republic of the Congo over the whole territory of the country, and the initiation of an all-inclusive national reconciliation process in the Democratic Republic of the Congo which fully respects the equality and rights of all, irrespective of ethnic origin, and of a political process which leads to the early holding of democratic, free and fair elections.

"The Council expresses its support for the regional mediation process begun by the Organization of African Unity and the Southern African Development Community, and currently led by the President of Zambia, takes note of the steps, including the establishment of the ad hoc liaison committee, that have been taken towards a peaceful settlement of the conflict and encourages the President of Zambia to continue his efforts.

"The Council welcomes in particular the initiative taken by the Secretary-General at the Twentieth Conference of Heads of State of Africa and France, held in Paris from 26 to 28 November 1998, to bring about an end to the conflict and reach an immediate, unconditional ceasefire. The Council welcomes the public commitments made in Paris in this regard by the President of the Democratic Republic of the Congo, the Presidents of Uganda and Rwanda and the Presidents and heads of delegation of Namibia, Zimbabwe, Angola and Chad. It strongly urges them to give effect to these commitments. To that end, the Council calls upon all the parties concerned to participate at the highest level possible in the upcoming summit to be held in Lusaka on 14 and 15 December 1998, and urges them to work in a constructive and flexible spirit with a view to the signing of a ceasefire agreement as a matter of urgency. The Council also encourages participants at the meeting of the central organ of the Organization of African Unity, to be held in Ouagadougou on 17 and 18 December 1998, to use that opportunity to take urgent steps towards a peaceful settlement of the conflict.

"The Council is prepared to consider, in the light of efforts towards peaceful resolution of the conflict, the active involvement of the United Nations, in coordination with the Organization of African Unity, including through concrete, sustainable and effective measures, to assist in the implementation of an effective ceasefire agreement and in an agreed process for a political settlement of the conflict.

"The Council condemns any violations of human rights and humanitarian law, including acts of and incitement to ethnic hatred and violence by all parties. It urges all parties to respect and protect human rights and respect humanitarian law, in particular the Geneva Conventions of 1949[374] and the Additional Protocols thereto, of 1977,[375] as applicable to them, and the Convention on the Prevention and Punishment of the Crime of Genocide of 1948.[377]

"The Council notes with particular concern that the worsening of tensions is resulting in a deterioration of the food situation for the civilian population and an increase in the flow of refugees and displaced persons. In this context, the Council reiterates its call for safe and unhindered access for humanitarian agencies to all those in need in the Democratic Republic of the Congo and once again urges all parties to guarantee the safety and security of United Nations and humanitarian personnel.

"The Council also reaffirms the importance of holding, at the appropriate time, an international conference on peace, security and development in the Great Lakes region under the auspices of the United Nations and the Organization of African Unity.

"The Council strongly encourages the Secretary-General to continue to work actively with the Secretary-General of the Organization of African Unity and with all the parties concerned to help to find a peaceful and lasting solution to the conflict. It requests him to keep it informed about efforts to achieve a peaceful solution and to make recommendations on a possible role of the United Nations to this end.

"The Council will remain actively seized of the matter."

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[376] S/PRST/1998/36.

[377] General Assembly resolution 260 A (III).

PROTECTION FOR HUMANITARIAN ASSISTANCE TO REFUGEES AND OTHERS IN CONFLICT SITUATIONS

[*Resolutions or decisions on this question were also adopted by the Security Council in 1997.*]

Decisions

At its 3932nd meeting, on 29 September 1998, the Security Council decided to invite the representatives of Argentina, Austria, Azerbaijan, Canada, Indonesia, Norway, Pakistan and the Republic of Korea to participate, without vote, in the discussion of the item entitled:

> "Protection for humanitarian assistance to refugees and others in conflict situations
>
> "Report of the Secretary-General (S/1998/883)".[378]

At the same meeting, the Council decided to extend an invitation to the Deputy Executive Director of the United Nations Children's Fund and to the Director of the Liaison Office of the United Nations High Commissioner for Refugees at United Nations Headquarters, under rule 39 of the provisional rules of procedure of the Council.

At the same meeting, the Council also decided to extend an invitation to Mrs. Sylvie Junod, Head of Delegation of the International Committee of the Red Cross to the United Nations, under rule 39 of the provisional rules of procedure.

At its 3933rd meeting, on 29 September 1998, the Council considered the item entitled:

> "Protection for humanitarian assistance to refugees and others in conflict situations
>
> "Report of the Secretary-General (S/1998/883)".[378]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[379]

> "The Security Council recalls the statement by its President of 19 June 1997 concerning protection for humanitarian assistance to refugees and others in conflict situations.[380]
>
> "The Council welcomes the report of the Secretary-General on protection for humanitarian assistance to refugees and others in conflict situations[381] and notes the recommendations contained therein.
>
> "The Council notes that several of the recommendations contained in the report coincide with recommendations made in the report entitled 'The causes of conflict and the promotion of durable peace and sustainable development in Africa'.[382]
>
> "The Council reaffirms the importance of pursuing a coordinated and comprehensive approach, in accordance with the purposes and principles of the Charter of the United Nations and principles and provisions of international law, in improving protection for humanitarian assistance to refugees and others in conflict situations.
>
> "The Council condemns the attacks or use of force in conflict situations against refugees and other civilians, in violation of the relevant rules of international law, including those of international humanitarian law.
>
> "The Council likewise condemns all attacks or use of force against United Nations and other personnel associated with United Nations operations, as well as personnel of humanitarian organizations, in violation of international law, including international humanitarian law. In this context, the Council recalls the statement by its President of 12 March 1997,[383] as well as other relevant statements and decisions. It also recalls the Convention on the Safety of United Nations and Associated Personnel adopted by the General Assembly on 9 December 1994.[384]
>
> "The Council affirms its intention to review thoroughly and promptly the recommendations of the Secretary-General with a view to taking steps consistent with its responsibilities under the Charter and, in this context, notes the views expressed in the debate on the matter at its 3932nd meeting on 29 September 1998."[385]

At its 3942nd meeting, on 10 November 1998, the Council considered the item entitled "Protection for humanitarian assistance to refugees and others in conflict situations".

At the same meeting, the Council decided to extend an invitation to Mrs. Sadako Ogata, United Nations High Commissioner for Refugees, under rule 39 of the provisional rules of procedure.

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[378] See *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*.

[379] S/PRST/1998/30.

[380] S/PRST/1997/34.

[381] *Official Records of the Security Council, Fifty-third Year, Supplement for July, August and September 1998*, document S/1998/883.

[382] Ibid., *Supplement for April, May and June 1998*, document S/1998/318.

[383] S/PRST/1997/13.

[384] General Assembly resolution 49/59, annex.

[385] See S/PV.3932. For the final text, see *Official Records of the Security Council, Fifty-third Year, 3932nd meeting*.

THE SITUATION IN CAMBODIA

[*Resolutions or decisions on this question have been adopted by the Security Council every year since 1990.*]

Decisions

On 22 October 1998, the President of the Security Council addressed the following letter to the Secretary-General:[386]

> "I have the honour to inform you that your letter dated 19 October 1998 concerning the successful completion on 30 September 1998 of the monitoring operation of returning political leaders[387] has been brought to the attention of the members of the Security Council. They take note of the content of the letter."

On 17 November 1998, the President of the Security Council addressed the following letter to the Secretary-General:[388]

> "I have the honour to inform you that your letter dated 13 November 1998 concerning your proposal to extend the office of your Personal Representative in Cambodia for a further period of twelve months[389] has been brought to the attention of the members of the Security Council. They agree with the proposal contained in your letter."

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[386] S/1998/987.

[387] S/1998/986.

[388] S/1998/1087.

[389] S/1998/1086.

THE SITUATION IN GUINEA-BISSAU

Decisions

At its 3940th meeting, on 6 November 1998, the Security Council decided to invite the representative of Guinea-Bissau to participate, without vote, in the discussion of the item entitled:

> "The situation in Guinea-Bissau
>
> > "Letter dated 3 November 1998 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council (S/1998/1028)".[390]

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[391]

> "The Security Council welcomes the agreement reached on 1 November 1998, in Abuja, between the Government of Guinea-Bissau and the Self-Proclaimed Military Junta during the Twenty-first Summit of the Authority of the Heads of State and Government of the Economic Community of West African States.[392] In this context, the Council commends the mediation efforts of the Economic Community of West African States and of the Community of Portuguese-speaking Countries, and their respective Chairmen, and recognizes the role of other leaders, in particular the preponderant role of the President of the Gambia, in the negotiations that led to that agreement.
>
> "The Council affirms its firm commitment to preserve the unity, sovereignty, constitutional order and territorial integrity of Guinea-Bissau.
>
> "The Council considers the agreement to be a positive step towards national reconciliation and lasting peace in Guinea-Bissau. The Council calls upon the Government and the Self-Proclaimed Military Junta to respect fully their obligations under the Abuja Agreement[392] and the Praia Agreement of 26 August 1998.[393] The Council welcomes, in particular, the decision to put in place immediately a government of national unity and to hold general and presidential elections no later than the end of March 1999.
>
> "The Council takes note of the agreement regarding the withdrawal from Guinea-Bissau of all foreign troops and of the simultaneous deployment of the interposition force of the Monitoring Group of the Economic Community of West African States, which will take over from the withdrawn forces. The Council calls upon all States to provide voluntarily technical, financial and logistical support to assist the Monitoring Group to carry out its mission.
>
> "The Council appeals to States and organizations concerned to provide urgent humanitarian assistance to displaced persons and refugees. It calls upon the Government and the Self-Proclaimed Military Junta to

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[390] See *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998.*

[391] S/PRST/1998/31.

[392] *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/1028, annex.

[393] Ibid, *Supplement for July, August and September 1998*, document S/1998/825, annex I.

continue to respect relevant provisions of international law, including humanitarian law, and to ensure safe and unimpeded access by international humanitarian organizations to persons in need of assistance as a result of the conflict. In this regard, it welcomes the decision to open the international airport and the seaport at Bissau.

"The Council will remain actively seized of the matter."

At its 3958th meeting, on 21 December 1998, the Council decided to invite the representatives of Guinea-Bissau and Togo to participate, without vote, in the discussion of the item entitled "The situation in Guinea-Bissau".

Resolution 1216 (1998)
of 21 December 1998

The Security Council,

Reaffirming the statements by its President of 6 November[391] and 30 November 1998,[394]

Gravely concerned by the crisis facing Guinea-Bissau and the serious humanitarian situation affecting the civilian population in Guinea-Bissau,

Expressing its firm commitment to preserve the unity, sovereignty, political independence and territorial integrity of Guinea-Bissau,

1. *Welcomes* the agreements between the Government of Guinea-Bissau and the Self-Proclaimed Military Junta signed in Praia on 26 August 1998,[393] and in Abuja on 1 November 1998[392] and the additional protocol signed in Lomé on 15 December 1998;[395]

2. *Calls upon* the Government and the Self-Proclaimed Military Junta to implement fully all the provisions of the agreements, including with regard to respect for the ceasefire, the urgent establishment of a government of national unity, the holding of general and presidential elections no later than the end of March 1999, and the immediate opening of the airport and seaport in Bissau and, in cooperation with all concerned, the withdrawal of all foreign troops in Guinea-Bissau and the simultaneous deployment of the interposition force of the Monitoring Group of the Economic Community of West African States;

3. *Commends* the States Members of the Community of Portuguese-Speaking Countries and the Economic Community of West African States on the key role they are playing to restore peace and security throughout Guinea-Bissau, and on their intention to participate with others in the observation of the forthcoming general and presidential elections, and welcomes the role of the Monitoring Group in the implementation of the Abuja Agreement, aimed at guaranteeing security along the Guinea-Bissau/Senegal border, keeping apart the parties in conflict and guaranteeing free access to humanitarian organizations and agencies to reach the affected civilian populations, to be carried out in accordance with, *inter alia*, paragraph 6 below;

4. *Approves* the implementation by the interposition force of the Monitoring Group of its mandate referred to in paragraph 3 above in a neutral and impartial way and in conformity with United Nations peacekeeping standards in order to achieve its objective to facilitate the return to peace and security by monitoring the implementation of the Abuja Agreement;

5. *Calls upon* all concerned, including the Government and the Self-Proclaimed Military Junta, to respect strictly relevant provisions of international law, including humanitarian and human rights law, and to ensure safe and unimpeded access by international humanitarian organizations to persons in need of assistance as a result of the conflict;

6. *Affirms* that the interposition force of the Monitoring Group may be required to take action to ensure the security and freedom of movement of its personnel in the discharge of its mandate;

7. *Requests* the Monitoring Group to provide periodic reports at least every month through the Secretary-General, the first report to be made one month after the deployment of its troops;

8. *Requests* the Secretary-General to make recommendations to the Council on a possible role of the United Nations in the process of peace and reconciliation in Guinea-Bissau, including the early establishment of arrangements for liaison between the United Nations and the Monitoring Group;

9. *Reiterates its appeal* to States and organizations concerned to provide urgent humanitarian assistance to displaced persons and refugees;

10. *Reiterates its call* on States to provide voluntarily financial, technical and logistical support to assist the Monitoring Group to carry out its peacekeeping role in Guinea-Bissau;

11. *Requests* the Secretary-General to take the necessary steps to establish a trust fund for Guinea-Bissau which would assist in supporting the interposition force of the Monitoring Group in providing logistical support to them, and encourages Member States to contribute to the fund;

12. *Also requests* the Secretary-General to keep the Council regularly informed of the situation in Guinea-Bissau and to submit a report to it by 17 March 1999 on the implementation of the Abuja Agreement, including the implementation by the interposition force of its mandate;

13. *Decides* to review the situation, including the implementation of the present resolution, before the end of March 1999, on the basis of the report of the Secretary-General referred to in paragraph 12 above;

14. *Decides* to remain seized of the matter.

Adopted unanimously at the 3958th meeting.

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[394] S/PRST/1998/35.

[395] *Official Records of the Security Council, Fifty-third Year, Supplement for October, November and December 1998*, document S/1998/1178, annex II.

THE SITUATION IN LIBERIA

[Resolutions or decisions on this question have been adopted by the Security Council every year since 1991.]

Decision

On 16 November 1998, the President of the Security Council addressed the following letter to the Secretary-General:[396]

> "I have the honour to inform you that your letter dated 11 November 1998 concerning your intention to extend the mandate of the United Nations Peace-building Support Office in Liberia until the end of December 1999[397] has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter."

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[396] S/1998/1081.

[397] S/1998/1080.

MAINTENANCE OF PEACE AND SECURITY AND POST-CONFLICT PEACE-BUILDING

Decisions

At its 3954th meeting, on 16 December 1998, the Security Council decided to invite the representatives of Algeria, Argentina, Australia, Austria, Bangladesh, Bosnia and Herzegovina, Canada, Croatia, Egypt, India, Indonesia, Jamaica, Malaysia, Mongolia, Mozambique, Nigeria, Norway, Pakistan, the Republic of Korea, Slovakia, the Sudan, Tunisia and Ukraine to participate, without vote, in the discussion of the item entitled "Maintenance of peace and security and post-conflict peace-building".

The Council resumed the 3954th meeting on 23 December 1998.

At its 3961st meeting, on 29 December 1998, the Council considered the item entitled "Maintenance of peace and security and post-conflict peace-building".

At the same meeting, following consultations among members of the Security Council, the President made the following statement on behalf of the Council:[398]

> "The Security Council recalls the open debate held at its 3954th meeting on 16 and 23 December 1998 on the maintenance of peace and security and post-conflict peace-building.[399] It recalls also the report of the Secretary-General of 13 April 1998 entitled "The causes of conflict and the promotion of durable peace and sustainable development in Africa", which was submitted to the General Assembly and to the Security Council,[400] as well as the report of the Secretary-General of 27 August 1998 on the work of the Organization, submitted to the General Assembly at its fifty-third session.[401] In this context, it welcomes the recommendations of the Secretary-General concerning the role of the Council in the aftermath of conflict, in particular in ensuring a smooth transition from peacekeeping to post-conflict peace-building. The Council recalls further the statement by its President of 30 April 1993[402] on the report of the Secretary-General entitled 'An Agenda for Peace',[403] including the subject of post-conflict peace-building.
>
> "The Council reaffirms its primary responsibility under the Charter of the United Nations for the maintenance of international peace and security. It stresses the need to prevent the resurgence or escalation of conflict. The Council recognizes the importance of the post-conflict peace-building efforts of the United Nations to this end in all regions of the world and with due involvement of all United Nations bodies. In particular, it welcomes the role played by the Secretary-General in this field. It recognizes the timeliness of exploring further means to prevent and settle conflicts, which are based on the Charter and generally recognized principles of peacekeeping, and which would incorporate post-conflict peace-building as an important component.
>
> "The Council recalls the statement by its President of 24 September 1998,[404] which affirmed that the quest for peace in Africa requires a comprehensive, concerted and determined approach, encompassing the eradication of poverty, the promotion of democracy, sustainable development and respect for human rights, as well as conflict prevention and resolution, including

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[398] S/PRST/1998/38.

[399] See S/PV. 3954 and Resumption. For the final text, see *Official Records of the Security Council, Fifty-third Year*, 3954th meeting.

[400] *Official Records of the Security Council, Fifty-third Year, Supplement for April, May and June 1998*, document S/1998/318.

[401] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 1* (A/53/1).

[402] S/25696; see *Resolutions and Decisions of the Security Coucil, 1993*.

[403] *Official Records of the Security Council, Forty-seventh Year, Supplement for January, February and March 1992*, document S/24111.

[404] S/PRST/1998/29.

peacekeeping, and humanitarian assistance. The Council underlines the fact that efforts to ensure lasting solutions to conflicts require sustained political will and a long-term approach in the decision-making of the United Nations, including by the Council itself. It affirms its commitment to the principles of the political independence, sovereignty and territorial integrity of all States in conducting peace-building activities, and the need for States to comply with their obligations under the Charter and the principles of international law.

"The Council underlines the fact that economic rehabilitation and reconstruction often constitute the major tasks facing societies emerging from conflict and that significant international assistance becomes indispensable to promote sustainable development in such cases. In that context, it recalls that Article 65 of the Charter provides that the Economic and Social Council may furnish information to the Security Council and shall assist the Council upon its request.

"The Council, conscious of the emphasis placed by the Secretary-General on the issue of post-conflict peace-building, in particular in the context of the reform of the United Nations, encourages him to explore the possibility of establishing post-conflict peace-building structures as part of efforts by the United Nations system to achieve a lasting peaceful solution to conflicts, including in order to ensure a smooth transition from peacekeeping to peace-building and lasting peace.

"The Council recognizes the value of including, as appropriate, peace-building elements in the mandates of peacekeeping operations. It agrees with the Secretary-General that relevant post-conflict peace-building elements should be explicitly and clearly identified and could be integrated into the mandates of peacekeeping operations. It notes that peacekeeping operations may include military, police, humanitarian and other civilian components. It requests the Secretary-General to make recommendations to the Council to this effect whenever appropriate.

"The Council also requests the Secretary-General to make recommendations to the appropriate United Nations bodies concerning the period during the transition to the post-conflict peace-building phase when recommending the final drawdown of a peacekeeping operation.

"The Council recognizes the need for close cooperation and dialogue between the bodies of the United Nations system, in particular those directly concerned in the field of post-conflict peace-building, in accordance with their respective responsibilities, and expresses its willingness to consider ways to improve such cooperation. It also emphasizes the need to improve the exchange of information between all relevant actors in the field of post-conflict peace-building, including United Nations agencies and bodies, international financial institutions, regional and subregional organizations, troop contributors and the donor community. In this context, it notes with appreciation the Secretary-General's plans for strategic frameworks to ensure increased coherence and effectiveness in the entire range of United Nations activities in States in and recovering from crisis.

"The Council will remain seized of the matter."

Part II. Other matters considered by the Security Council

SECURITY COUNCIL WORKING METHODS AND PROCEDURE

Decision

On 30 April 1998, the President of the Security Council issued the following note:[405]

"1. Further to the note by the President of the Security Council dated 27 July 1993 concerning the Council's documentation and related matters,[406] which provides for the distribution of the tentative forecast of the programme of work of the Council for each month to all Member States for information, the members of the Council have agreed that the following reminder should be placed in the *Journal* each month:

> 'The monthly tentative forecast has been made available to Member States in accordance with the note by the President of the Security Council dated 27 July 1993,[406] and 30 April 1998.[405] In accordance with the aforementioned decisions, copies of the tentative forecast have been placed in the delegations' boxes and may be collected at the delegations' pick-up area.'

"2. The members of the Council have recommended that the President make available to all Member States the calendar setting out the provisional schedule of work, after the completion of the consultations of the whole on the programme of work, in an appropriate form and under his responsibility. The following footnote should be included in the calendar:

> 'The schedule is provisional; the actual schedule will be determined by developments. The description of agenda items contained in the provisional schedule may differ from the official formulation.'

"3. The members of the Council will continue their consideration of other suggestions concerning the Council's documentation and related matters."

On 30 October 1998, the President of the Security Council issued the following note:[407]

"1. The members of the Security Council, recalling the statement by the President of the Council of 16 December 1994,[408] in which the need for greater recourse to open meetings of the Council was identified, and intending to continue to enhance the transparency of the methods of work of the Council, have agreed that the Secretary-General is to be encouraged to make statements to the Council, when he deems it appropriate, in public meetings of the Council.

"2. Recalling the enhancement of meetings with troop-contributing countries, the members of the Council, taking note of the procedures set out in the statement by the President of the Council of 28 March 1996,[409] have also agreed to the following:

"(*a*) With reference to the existing practice of the President of the Council of reporting, in the course of informal consultations of members of the Council, the views expressed by participants in each troop contributors' meeting, troop-contributing countries are encouraged to make available to the President, whenever appropriate, copies of their statements during those meetings. Written copies of the Secretariat's briefing at those meetings should, whenever possible, be made available to troop-contributing countries upon request;

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[405] S/1998/354.

[406] S/26176.

[407] S/1998/1016.

[408] S/PRST/1994/81.

[409] S/PRST/1996/13.

"(*b*) With reference to the existing practice of the Secretariat of providing weekly briefing notes to the Council on field operations, the Secretariat is encouraged to make those briefing notes available to troop-contributing countries upon request;

"(*c*) Relevant United Nations bodies and agencies may be invited to troop contributors' meetings, when they have a specific contribution to make to the issue under discussion;

"(*d*) With reference to the existing practice of inviting to troop contributors' meetings Member States that make special contributions to peacekeeping operations other than troops and civilian police - that is to say, contributions to trust funds, logistics and equipment - other Member States contributing to peacekeeping operations, as appropriate, should also be invited to these meetings;

"(*e*) The President of the Council will inform troop contributors about forthcoming Council deliberations and expected decisions.

"3. The Secretariat should establish an appropriate mechanism for alerting non-members of the Council about unscheduled or emergency meetings of the Council during nights, weekends or holidays.

"4. (*a*) The annual report of the Council to the General Assembly shall include, as an appendix, in addition to the elements identified in the note by the President of the Council of 12 June 1997,[410] the annual reports of the sanctions committees;

"(*b*) With effect from 1999, the bureau of each sanctions committee shall be appointed by that committee, following consultations among Council members, either at its first meeting if that meeting takes place in January, or in writing at the instance of the Presidency of the Council under a no-objection procedure."

CONSIDERATION OF THE DRAFT REPORT OF THE SECURITY COUNCIL TO THE GENERAL ASSEMBLY

Decisions

At its 3923rd meeting, on 9 September 1998, the Security Council considered the item entitled "Consideration of the draft report of the Council to the General Assembly".

The decision of the Council was reflected in the following note by the President:[411]

"At its 3923rd meeting, on 9 September 1998, the Security Council considered its draft report to the General Assembly covering the period from 16 June 1997 to 15 June 1998. The Council adopted the draft report without a vote."

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[410] S/1997/451.

[411] S/1998/843.

ITEMS INCLUDED IN THE AGENDA OF THE SECURITY COUNCIL IN 1998 FOR THE FIRST TIME

NOTE: The practice of the Security Council is to adopt at each meeting, on the basis of the provisional agenda circulated in advance, the agenda for that particular meeting; the agenda as adopted for each meeting in 1998 will be found in the *Official Records of the Security Council, Fifty-third Year*, 3847th to 3962nd meetings.

The following chronological list shows the meeting at which the Council decided, in 1998, to include in its agenda an item that had not been inscribed previously.

Item	*Meeting*	*Date*
Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council		
Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council	3868th	31 March
Letter dated 31 March 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Papua New Guinea to the United Nations addressed to the President of the Security Council	3874th	22 April
The situation between Eritrea and Ethiopia	3895th	26 June
Children and armed conflict	3896th	29 June
Letter dated 29 June 1998 from the Secretary-General addressed to the President of the Security Council		
Letter dated 25 June 1998 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the Secretary-General		
Letter dated 25 June 1998 from the Permanent Representative of Rwanda to the United Nations addressed to the Secretary-General	3903rd	13 July
International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Such Violations Committed in the Territory of Neighbouring States	3908th	15 July
Threats to peace and security caused by international terrorist acts	3915th	13 August
The situation in Guinea-Bissau	3940th	6 November
Maintenance of peace and security and post-conflict peace-building	3954th	16 December

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1147 (1998)	13 January	The situation in Croatia	1
1148 (1998)	26 January	The situation concerning Western Sahara	31
1149 (1998)	27 January	The situation in Angola	36
1150 (1998)	30 January	The situation in Georgia	49
1151 (1998)	30 January	The situation in the Middle East	54
1152 (1998)	5 February	The situation in the Central African Republic	57
1153 (1998)	20 February	The situation between Iraq and Kuwait	22
1154 (1998)	2 March	The situation between Iraq and Kuwait	23
1155 (1998)	16 March	The situation in the Central African Republic	59
1156 (1998)	16 March	The situation in Sierra Leone	68
1157 (1998)	20 March	The situation in Angola	37
1158 (1998)	25 March	The situation between Iraq and Kuwait	24
1159 (1998)	27 March	The situation in the Central African Republic	59
1160 (1998)	31 March	Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council	10
1161 (1998)	9 April	The situation concerning Rwanda	84
1162 (1998)	17 April	The situation in Sierra Leone	68
1163 (1998)	17 April	The situation concerning Western Sahara	32
1164 (1998)	29 April	The situation in Angola	38
1165 (1998)	30 April	The situation concerning Rwanda Establishment of an international tribunal for the prosecution of persons responsible for serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for such violations committed in the territory of neighbouring States	85
1166 (1998)	13 May	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia	17
1167 (1998)	14 May	The situation in Tajikistan and along the Tajik-Afghan border	65
1168 (1998)	21 May	The situation in Bosnia and Herzegovina	7

Resolution number	*Date of adoption*	*Subject*	*Page*
1169 (1998)	27 May	The situation in the Middle East	55
1170 (1998)	28 May	The situation in Africa	92
1171 (1998)	5 June	The situation in Sierra Leone	70
1172 (1998)	6 June	The responsibility of the Security Council in the maintenance of international peace and security	104
1173 (1998)	12 June	The situation in Angola	40
1174 (1998)	15 June	The situation in Bosnia and Herzegovina	7
1175 (1998)	19 June	The situation between Iraq and Kuwait	26
1176 (1998)	24 June	The situation in Angola	42
1177 (1998)	26 June	The situation between Eritrea and Ethiopia	105
1178 (1998)	29 June	The situation in Cyprus	88
1179 (1998)	29 June	The situation in Cyprus	89
1180 (1998)	29 June	The situation in Angola	42
1181 (1998)	13 July	The situation in Sierra Leone	71
1182 (1998)	14 July	The situation in the Central African Republic	62
1183 (1998)	15 July	The situation in Croatia	4
1184 (1998)	16 July	The situation in Bosnia and Herzegovina	10
1185 (1998)	20 July	The situation concerning Western Sahara	33
1186 (1998)	21 July	The situation in the former Yugoslav Republic of Macedonia	20
1187 (1998)	30 July	The situation in Georgia	51
1188 (1998)	30 July	The situation in the Middle East	55
1189 (1998)	13 August	Threats to peace and security caused by international terrorist acts	110
1190 (1998)	13 August	The situation in Angola	43
1191 (1998)	27 August	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia	19
1192 (1998)	27 August	Letters dated 20 and 23 December 1991, from France, the United Kingdom of Great Britain and Northern Ireland and the United States of America	74
1193 (1998)	28 August	The situation in Afghanistan	80
1194 (1998)	9 September	The situation between Iraq and Kuwait	27
1195 (1998)	15 September	The situation in Angola	44
1196 (1998)	16 September	The situation in Africa	93
1197 (1998)	18 September	The situation in Africa	95
1198 (1998)	18 September	The situation concerning Western Sahara	34

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1200 (1998)	30 September	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for such Violations Committed in the Territory of Neighbouring States	87
1201 (1998)	15 October	The situation in the Central African Republic	63
1202 (1998)	15 October	The situation in Angola	45
1203 (1998)	24 October	Letter dated 11 March 1998 from the Deputy Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council Letter dated 27 March 1998 from the Permanent Representative of the United States of America to the United Nations addressed to the President of the Security Council	15
1204 (1998)	30 October	The situation concerning Western Sahara	34
1205 (1998)	5 November	The situation between Iraq and Kuwait	29
1206 (1998)	12 November	The situation in Tajikistan and along the Tajik-Afghan border	66
1207 (1998)	17 November	International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia	19
1208 (1998)	19 November	The situation in Africa	98
1209 (1998)	19 November	The situation in Africa	99
1210 (1998)	24 November	The situation between Iraq and Kuwait	30
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Litho in United Nations, New York ISSN 0257-1455 00 47208